



Journal of the House

State of Indiana

116th General Assembly

First Regular Session

Fifteenth Meeting Day

Thursday Morning

February 5, 2009

The invocation was offered by Pastor Bill Jenkins, Church of Acts, Indianapolis.

The Pledge of Allegiance to the Flag was led by Representative Vernon G. Smith.

The House convened at 10:00 a.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker ordered the roll of the House to be called:

Austin	Kersey
Avery	Klinker
Bardon	Knollman
Barnes	Koch
Bartlett	L. Lawson
Battles	Lehe
Behning	Lehman
Bell	Leonard
Bischoff	Lutz
Blanton	McClain
Borders	Messmer
Borror	Michael
Bosma	Moseley
C. Brown	Moses
T. Brown	Murphy
Burton	Neese
Candelaria Reardon	Niezgodski
Cheatham	Noe
Cherry	Oxley
Clements	Pearson
Clere	Pelath
Crawford	Pflum
Crouch	Pierce
Culver	Pond
Davis	Porter
Day	Pryor
DeLaney	Reske
Dembowski	Richardson
Dermody	Riecken
Dobis	Robertson
Dodge	Ruppel
Duncan	Saunders
Dvorak	M. Smith
Eberhart	V. Smith
Espich	Soliday
Foley	Stemler
Friend	Steuerwald
Frizzell	Stevenson
Fry	Stilwell
GiaQuinta	Sullivan
Goodin	Summers
Grubb	Thompson
Gutwein	Tincher
Harris	Torr
Herrell	Truitt
Hinkle	Turner

Tyler
VanDenburgh
VanHaaften
Walorski

Welch
Wolkins
Yarde
Mr. Speaker

Roll Call 38: 100 present. The Speaker announced a quorum in attendance.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 13, 39, 47, 57, 175, 249, 391, and 418 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 15 and 16 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1014, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 37, delete "Except as provided in IC 22-9-2.1,".

Page 4, line 37, delete "no" and insert "No".

Page 12, between lines 29 and 30, begin a new paragraph and insert:

"Sec. 16. This chapter may not be construed to prohibit compulsory retirement of an employee of a state educational institution who:

(1) is at least sixty-five (65) years of age; and

(2) for the two (2) year period immediately before retirement, is employed in a bona fide executive or higher policymaking position."

Page 12, line 30, delete "16." and insert "17.".

Page 12, line 34, delete "(1) year after" and insert "**hundred eighty (180) days, as provided in IC 22-9-1-3(p), from the date of the occurrence of**".

Page 12, line 34, after "practice" insert ".".

Page 12, delete line 35.

(Reference is to HB 1014 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 5.

NIEZGODSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was

referred House Bill 1021, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 15, nays 7.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1040, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

BARTLETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1043, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "and, after" and insert "**and**".

Page 1, line 8, delete "December 31, 2009,".

Page 2, line 12, delete "a foreign manufactured import truck that is".

Page 2, line 14, after "of" insert "**not less than**".

Page 2, line 14, after "centimeters" insert ";".

Page 2, line 14, delete "or".

Page 2, delete line 15.

Page 2, delete lines 21 through 22.

Page 2, line 23, delete "(6)" and insert "**(5)**".

Page 2, line 25, delete "(7)" and insert "**(6)**".

Page 2, line 33, after "mini-truck" insert ".".

Page 2, line 33, delete "after December 31, 2009,".

Page 2, line 36, delete "After December 31, 2009, this" and insert "**This**".

Page 3, line 2, after "46." insert "**(a)**".

Page 3, line 6, delete "after December 31, 2009,".

Page 3, between lines 7 and 8, begin a new paragraph and insert:

"(b) In addition to the prohibition set forth in subsection (a), a mini-truck may not be operated on a highway designated as a part of the state highway system under IC 8-23-4-2."

Page 3, line delete lines 8 through 42.

Page 4, delete lines 1 through 17.

Page 4, line 18, delete "JULY 1, 2009]" and insert "UPON PASSAGE]".

Page 4, line 23, delete "January 1, 2010," and insert "July 1, 2009,".

Page 4, after line 27, begin a new paragraph and insert:

"SECTION 7. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1043 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

AUSTIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1050, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 22, nays 0.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1081, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 15.

Page 2, line 16, delete "32-31-8-7" and insert "32-29-7-3.3".

Page 2, line 18, delete "7." and insert "**3.3**".

Page 2, line 20, delete "(1) or" and insert "**(1), two (2), three (3), or four (4)**".

Page 2, line 21, delete "more".

Page 2, line 21, delete "is" and insert "**are**".

Page 2, line 21, delete "judgment of".

Page 2, line 21, after "foreclosure" insert "**complaint**".

Page 2, delete lines 23 through 42, begin a new paragraph and insert:

"(c) This section does not apply if a receiver is appointed under IC 32-30-5.

(d) Not later than ten (10) days after a foreclosure complaint on real property described in subsection (b) is filed, the plaintiff seeking foreclosure shall provide each tenant with written notice of:

(1) the rights of tenants under this section; and

(2) the address and telephone number of the plaintiff seeking foreclosure and the landlord for use in all communications between the tenant and the landlord or the plaintiff seeking foreclosure;

by registered mail, certified mail, or personal delivery.

(e) A tenant may file a petition or request to:

(1) intervene in a foreclosure action under this section; and

(2) allow rent payments to be deposited:

(A) with the court; or

(B) in an escrow account;

until the parties agree on or the court determines the proper disposition of the rental payments.

(f) A court that holds rental payments or allows rental payments to be deposited in an escrow account under subsection (e) may allow a portion of rental payments to be used to pay for expenses related to the real property described in subsection (b).

(g) A tenant who does not receive a notice under subsection (d) may not be evicted from the tenant's rental unit until ninety (90) days after the tenant has received the notice described in section 3.6(d) of this chapter, unless the

tenant has failed to pay rent or comply with other obligations of the rental contract or agreement.

SECTION 4. IC 32-29-7-3.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3.6. (a) This section applies to rental agreements entered into or renewed after June 30, 2009.

(b) This section applies to real property containing one (1) or more rental units that is the subject of a judgment of foreclosure under IC 32-30-10-5.

(c) This section does not apply if a receiver is appointed under IC 32-30-5.

(d) Not later than ten (10) days after the judgment of foreclosure on real property described in subsection (b) is entered, the plaintiff seeking foreclosure shall provide each tenant with written notice:

- (1) of the rights of tenants under this section;
- (2) of the address and telephone number of the plaintiff seeking foreclosure and the landlord for use in all communications between the tenant and the landlord or the plaintiff seeking foreclosure; and
- (3) that the plaintiff seeking foreclosure has foreclosed on the real property described in subsection (b);

by registered mail, certified mail, or personal delivery.

(e) A tenant may not be evicted from the tenant's rental unit until sixty (60) days after the tenant has received the notice described in subsection (d), unless the tenant has failed to pay rent or comply with other obligations of the rental contract or agreement.

SECTION 5. IC 32-29-7-3.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3.8. If a tenant is evicted from the tenant's rental unit and did not receive a notice under section 3.3 or 3.6 of this chapter, the tenant may:

- (1) bring an action in any court having jurisdiction to enforce an obligation of an owner or landlord; and
- (2) recover:
 - (A) actual damages;
 - (B) reasonable attorney's fees and court costs; and
 - (C) reasonable relocation expenses."

Delete page 3.

Re-number all SECTIONS consecutively.

(Reference is to HB 1081 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 4.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1121, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 33 and 34, begin a new paragraph and insert:

"Sec. 5. If the attorney general determines during an investigation conducted under this chapter that there is reasonable suspicion to believe that a person has committed identity deception or a similar offense, the attorney general shall promptly notify a law enforcement agency and the prosecuting attorney that have jurisdiction over the person or offense."

Page 2, line 34, delete "Sec. 5." and insert "Sec. 6."

Page 3, line 5, delete "Sec. 6." and insert "Sec. 7."

Page 3, line 6, delete "5" and insert "6".

Page 3, line 8, delete "Sec. 7." and insert "Sec. 8."

Page 3, line 11, delete "Sec. 8." and insert "Sec. 9."

Page 3, delete line 41 through 42.

Page 4, delete lines 1 through 4.

Page 4, line 19, delete "synthetic identity deception (as defined in IC 35-43-5-3.8),".

Page 4, between lines 26 and 27, begin a new paragraph and insert:

"(c) If a data base owner makes a disclosure described in subsection (a), the data base owner shall also disclose the breach to the attorney general."

Page 4, delete lines 27 through 42.

Page 5, delete lines 1 through 29.

Page 5, line 32, after "(a)" insert "This section does not apply to a data base owner that maintains its own data security procedures as part of an information privacy, security policy, or compliance plan under:

(1) the federal USA PATRIOT Act (P.L. 107-56);

(2) Executive Order 13224;

(3) the federal Driver's Privacy Protection Act (18 U.S.C. 2721 et seq.);

(4) the federal Fair Credit Reporting Act (15 U.S.C. 1681 et seq.);

(5) the federal Financial Modernization Act of 1999 (15 U.S.C. 6801 et seq.); or

(6) the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191);

if the data base owner's information privacy, security policy, or compliance plan requires the data base owner to maintain reasonable procedures to protect and safeguard from unlawful use or disclosure personal information of Indiana residents that is collected or maintained by the data base owner and the data base owner complies with the data base owner's information privacy, security policy, or compliance plan.

(b)".

Page 5, line 37, delete "(b)" and insert "(c)".

Page 5, line 42, delete "(c)" and insert "(d)".

Page 5, line 42, after "that" insert "knowingly or intentionally".

Page 6, line 1, delete "chapter" and insert "section".

Page 6, line 2, delete "chapter" and insert "section".

Page 6, line 3, delete "(d)" and insert "(e)".

Page 6, line 3, delete "chapter" and insert "section".

Page 6, between lines 10 and 11, begin a new paragraph and insert:

"(f) A failure to comply with subsection (b) or (c) in connection with related acts or omissions constitutes one (1) deceptive act."

Page 8, between lines 20 and 21, begin a new line block indented and insert:

"This subdivision does not prohibit denial of credit or public utility service if a consumer has placed a security freeze on the consumer's consumer report and does not wish to temporarily lift the freeze for purposes of the credit or public utility service request or application."

Page 12, between lines 35 and 36, begin a new paragraph and insert:

"Sec. 2. As used in this chapter, "unit" refers to the identity theft unit established under IC 4-6-13-2."

Page 12, line 36, delete "Sec. 2." and insert "Sec. 3."

Page 13, line 10, delete "Sec. 3." and insert "Sec. 4."

Page 13, between lines 18 and 19, begin a new paragraph and insert:

"(b) A person filing an application under subsection (a) shall file a copy of the application with the unit. The unit may appear at and present evidence in a hearing conducted under this section if the unit determines that a court order declaring the applicant a victim of identity theft would be inappropriate."

Page 13, line 19, delete "(b)" and insert "(c)".

Page 13, line 23, delete "(c)" and insert "(d)".

Page 14, line 2, delete "(d) An" and insert "(e) Except as provided in subsection (h), an".

Page 14, line 20, delete "(e)" and insert "(f)".

Page 14, line 24, delete "(f) A" and insert "(g) Except as provided in subsection (h), a".

Page 14, line 25, delete "(d)(2)" and insert "(e)(1)".

Page 14, line 27, delete "(d)(1)" and insert "(e)(2)".

Page 14, between lines 29 and 30, begin a new paragraph and insert:

"(h) The following information regarding an application filed under this section may be released to the public:

(1) The name of the applicant.

(2) The county of residence of the applicant.

(3) Whether the application was approved or denied by the court."

Page 18, line 32, after "identifies" insert ":

(1) a false or fictitious person; or

(2)".

Page 18, line 33, after "information" insert ";

Page 18, line 33, beginning with "but" begin a new line blocked left.

Page 19, line 22, delete "of the person's child." and insert "**of a person who is less than eighteen (18) years of age and is:**

(A) the person's son or daughter;

(B) a dependent of the person;

(C) a ward of the person; or

(D) an individual for whom the person is a guardian.

Page 20, line 3, delete "of another person".

Page 20, line 5, after "identity;" insert "or".

Page 20, line 6, delete "or".

Page 20, delete line 7.

Renumber all SECTIONS consecutively.

(Reference is to HB 1121 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

DVORAK, Acting Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1155, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 3 through 18, begin a new paragraph and insert:

"(f) A determination made under subsection (c) after June 30, 2009, by the designating body of a county containing a consolidated city must be approved or rejected by the county fiscal body if the resolution awards a deduction under section 3 of this chapter for the redevelopment or rehabilitation of real property. The decision of the county fiscal body to approve or reject the designating body's determination is final except that an appeal may be taken and heard as provided under subsections (d) and (e)."

(Reference is to HB 1155 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 4.

BARTLETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1166, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 6, nays 5.

NIEZGODSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1172, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 8, delete "participation" and insert "use".

Page 4, line 9, delete "any:" and insert "**any contract entered into or grant made:**

(A) with the use of state funds;

(B) involving the use of state real property;

(C) with the use of state funds involving the use of real property of a unit of local government; or

(D) involving incentives offered using state funds."

Page 4, delete lines 10 through 17.

Page 4, line 40, delete "2(f)(11), and 2(f)(12)" and insert "**and 2(f)(11)".**

Page 5, line 2, after "agencies." insert "**If a unit of local government receives a grant or enters into a contract under section 2(f)(11) of this chapter, the unit of local government shall report on planned and actual participation of minority and women's business enterprises in grants or contracts entered into under section 2(f)(11) of this chapter."**

(Reference is to HB 1172 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 4.

BARTLETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1178, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 19, nays 3.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1193, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 12, nays 0.

PFLUM, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-102.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 102.3. "Metered space", for purposes of IC 9-18-17 and IC 9-18-18, means a public parking space at which parking is regulated by:

(1) a parking meter; or
 (2) an official traffic control device that imposes a maximum parking time for the public parking space.
The term does not include parking spaces or areas regulated under IC 9-21-18."

Page 1, delete lines 10 through 14, begin a new line block indented and insert:

"permitted.

(b) This section does not authorize parking of a motor vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinance in a city or town; or

(B) by order of the Indiana department of transportation."

Page 2, after line 1, begin a new paragraph and insert:

"SECTION 3. IC 9-18-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A person qualifying under section 1 of this chapter may not be:

(1) charged the following: (1) a fee for parking in a metered space; or

(2) assessed a penalty for parking in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in places where parking is not allowed at any a parking place during a time when parking in the space is prohibited if the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinances in cities and towns; or

(B) by order of the Indiana department of transportation.

(c) A person other than the owner of the motor vehicle displaying a disabled veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1258 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1282, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 0.

VAN HAAFTEN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

PORTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1363, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 12, nays 0.

PIERCE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1379, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 6, nays 5.

STILWELL, Acting Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1418, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

OXLEY, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1432, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 15, after "(10)" insert **"working"**.

Page 2, line 9, after "(10)" insert **"working"**.

Page 2, line 19, after "(10)" insert **"working"**.

(Reference is to HB 1432 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1462, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 2. IC 20-24-8-5, AS AMENDED BY P.L.2-2006, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

(1) IC 5-11-1-9 (required audits by the state board of accounts).

(2) IC 20-39-1-1 (unified accounting system).

(3) IC 20-35 (special education).

(4) IC 20-26-5-10 and ~~IC 20-28-5-9~~ **IC 20-28-5-9.3** (criminal history).

(5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).

(6) IC 20-28-7-14 (void teacher contract when two (2) contracts are signed).

(7) IC 20-28-10-12 (nondiscrimination for teacher marital status).

(8) IC 20-28-10-14 (teacher freedom of association).

(9) IC 20-28-10-17 (school counselor immunity).

(10) For conversion charter schools only, IC 20-28-6, IC 20-28-7, IC 20-28-8, IC 20-28-9, and IC 20-28-10.

(11) IC 20-33-2 (compulsory school attendance).

- (12) IC 20-33-3 (limitations on employment of children).
- (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (14) IC 20-33-8-16 (firearms and deadly weapons).
- (15) IC 20-34-3 (health and safety measures).
- (16) IC 20-33-9 (reporting of student violations of law).
- (17) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- (18) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8, or any other statute, rule, or guideline related to standardized testing (assessment programs, including remediation under the assessment programs).
- (19) IC 20-33-7 (parental access to education records).
- (20) IC 20-31 (accountability for school performance and improvement)."

Page 4, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 6. IC 20-28-4-11, AS ADDED BY P.L.150-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. (a) This section applies only to:

- (1) a school corporation; or
- (2) a subject area;

that is designated by the state board as having an insufficient supply of licensed teachers.

(b) The governing body of a school corporation or the appointing authority of an accredited nonpublic school may employ a program participant if the program participant is hired to teach in a subject area or a school corporation to which this section applies.

(c) Before employing a program participant under subsection (b), the superintendent of the school corporation must make a determination that one (1) of the following conditions exists:

- (1) There is no fully certified and highly qualified teacher available for the position.
- (2) The program participant is the best qualified candidate for the position.

(d) A program participant who is employed under this section is eligible to receive a transition to teaching permit. The transition to teaching permit is valid for three (3) years, and may not be renewed. ~~IC 20-28-5-9~~ **IC 20-28-5-9.3** applies to a program participant who applies for a transition to teaching permit.

(e) A program participant who is employed under this section:

- (1) shall enter into either:
 - (A) a regular teacher's contract under IC 20-28-6-5; or
 - (B) a temporary teacher's contract under IC 20-28-6-6, if replacing a teacher on a leave of absence;
- (2) is eligible to participate in a mentor teacher program; and
- (3) satisfies the field or classroom experience component of the program under section 4(3) of this chapter.

(f) The state board:

- (1) shall review; and
- (2) may renew;

the designation of a school corporation or a subject area as having an insufficient supply of licensed teachers not more than two (2) years following the initial designation under subsection (a)."

Page 4, delete line 18.

Page 4, line 24, delete "." and insert ", or when the governing body or equivalent authority for a nonpublic school takes any final action in relation to an employee who engaged in any offense listed in subsection (c)."

Page 5, delete lines 16 through 42, begin a new paragraph and insert:

"(e) The department shall develop a data base of information on school corporation employees who have been reported to the department under this section.

SECTION 7. IC 20-28-5-9.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 9.3. Before employing a potential employee to fill any position in a school corporation, the superintendent must conduct an expanded criminal history check as described under IC 20-28-1-6.2."**

Page 6, delete lines 1 through 9, begin a new paragraph and insert:

"SECTION 8. IC 20-33-8-9, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) This section applies to an individual who:

- (1) is a teacher or other school staff member; and
- (2) has students under the individual's charge.

(b) An individual may take any action that is reasonably necessary to carry out or to prevent an interference with an educational function that the individual supervises.

(c) Subject to rules of the governing body and the administrative staff, an individual may remove a student for a period that does not exceed five (5) school days from an educational function supervised by the individual or another individual who is a teacher or other school staff member.

(d) If an individual removes a student from class for violent or disruptive behavior, or an ongoing pattern of classroom procedure violations under subsection (c), the principal may place the student into another appropriate classroom or placement, or into inschool suspension. The principal may not return the student to that teacher's class until the principal has met with the:

- (1) student;**
- (2) student's teacher; and**
- (3) student's parent;**

to determine an appropriate behavior plan for the student. If the meeting under this section does not take place within a reasonable period of time, the student may be moved to another classroom at the principal's discretion.

(e) A school counselor may act on behalf of the student's parent to develop an appropriate behavior plan if the parent does not participate in the meeting under subsection (d)."

Page 7, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 10. IC 20-28-5-9 IS REPEALED [EFFECTIVE JULY 1, 2009]."

Renumber all SECTIONS consecutively.

(Reference is to HB 1462 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PORTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1481, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 3.

OXLEY, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1491, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

PIERCE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1494, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 2.

PIERCE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1524, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 35, delete "is" and insert "may be".

Page 5, line 36, after "board." insert "**The state egg board shall establish requirements and procedures for obtaining a farmers market retail permit by rule under IC 4-22-2.**".

Page 5, line 38, reset in roman "(a)".

Page 5, line 39, after "dozen." insert "**Except as provided in section 10.2(d) of this chapter, this section applies to:**

(1) registrations and permits issued by; and

(2) fees due and payable to;

the state egg board before July 1, 2010."

Page 5, line 40, reset in roman "(b)".

Page 5, line 40, delete "(a)".

Page 6, line 10, reset in roman "(c)".

Page 6, line 10, delete "(b)".

Page 6, reset in roman lines 17 through 21.

Page 6, delete lines 22 through 26.

Page 6, line 27, reset in roman "(d)".

Page 6, line 27, delete "(c)".

Page 6, line 29, reset in roman "six".

Page 6, line 29, delete "eleven".

Page 6, line 29, reset in roman "\$0.06".

Page 6, line 29, delete "\$0.11".

Page 6, line 36, delete "All registered wholesalers distributing less than".

Page 6, delete line 37.

Page 6, line 38, reset in roman "(e)".

Page 6, line 38, delete "(d) Except as provided in subsection (e), the" and insert "The".

Page 7, reset in roman lines 2 through 3.

Page 7, delete lines 4 through 10.

Page 7, line 13, reset in roman "six".

Page 7, line 13, delete "eleven".

Page 7, line 13, reset in roman "\$0.06".

Page 7, line 13, delete "\$0.11".

Page 7, delete lines 25 through 27.

Page 7, strike lines 28 through 39.

Page 7, line 40, strike "ten (10) day grace period, a penalty of".

Page 7, line 40 delete "the greater of twenty dollars".

Page 7, line 41, delete "\$20) or".

Page 7, line 41, strike "ten percent (10%) in addition to the amount due shall be".

Page 7, line 42, strike "assessed."

Page 7, line 42, delete "If the state egg board determines that an account review".

Page 8, delete lines 1 through 2, begin a new paragraph and insert:

"SECTION 11. IC 16-42-11-10.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 10.2. (a) Except as provided in subsection (d), this section applies to:**

(1) registrations and permits issued by; and

(2) fees due and payable to;

the state egg board after June 30, 2010.

(b) The state egg board may establish requirements for issuing a permit or registration under this chapter by rule under IC 4-22-2.

(c) The state egg board may establish fees necessary to carry out this chapter by rule under IC 4-22-2.

(d) If a rule is not in effect by July 1, 2010, the fees and requirements for obtaining a registration or permit under section 10 of this chapter apply until the date the rule takes effect.

SECTION 12. IC 16-42-11-10.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 10.4. The state egg board may grant a permit if the board determines that the action will lead to efficient enforcement of this chapter. The state egg board may revoke a permit at any time if it appears to the state egg board that a wholesaler is not complying with the terms of the agreement entered into at the time of the issuance. The report of eggs is due and the fees are payable quarterly on the last day of the month following the end of the quarter. If:**

(1) the report is not filed and the fee paid by the tenth day following the due date;

(2) the report is false; or

(3) the requirements of this chapter have not been complied with;

the state egg board may revoke the permit. If the fee is unpaid after the ten (10) day grace period, a penalty of the greater of twenty dollars (\$20) or ten percent (10%) of the amount due in addition to the amount due shall be assessed. If the state egg board determines that an account review is necessary, out-of-state permit holders shall reimburse the state egg board for expenses incurred to conduct the account review."

Renumber all SECTIONS consecutively.

(Reference is to HB 1524 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PFLUM, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1535, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

PFLUM, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1343, 1379, 1462, 1481, and 1494 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the following reassignments:

House Bill 1727 from the Committee on Rules and Legislative Procedures to the Committee on Ways and Means.

House Bill 1728 from the Committee on Rules and Legislative Procedures to the Committee on Ways and Means.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 12:01 p.m. with the Speaker in the Chair.

Upon request of Representative Bosma, the Speaker ordered the roll of the House to be called to determine the presence of a quorum. Roll Call 39: 78 present. The Speaker declared a quorum present.

HOUSE BILLS ON SECOND READING

House Bill 1723

Representative Goodin called down House Bill 1723 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1723-8)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 4, line 34, delete "6,423,200,000" and insert "**6,420,700,000**".

Page 9, line 47, delete "(IC 20-20-36)" and insert "**(IC 20-20-36.2)**".

Page 12, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 6. IC 20-20-36.2-4, AS ADDED BY HB 1198-2009, SECTION 120 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 4. ~~(a)~~ Notwithstanding any other provision, a school corporation is eligible for a grant under this chapter in a particular year ~~only~~ if for that year the school corporation's total property tax revenue is expected to be reduced by more than ~~two~~ **fifteen hundredths of one percent (2%) (0.15%)** because of the application of credits in that year.

~~(b)~~ Subject to subsection (a), an eligible school corporation is ~~entitled to a grant in~~

~~(1) 2009 equal to the eligible school corporation's circuit breaker replacement amount for property taxes imposed for the March 1, 2008, and January 15, 2009; assessment dates; and~~

~~(2) 2010 equal to the eligible school corporation's circuit breaker replacement amount for property taxes imposed for the March 1, 2009; and January 15, 2010; assessment dates.~~

SECTION 7. IC 20-20-36.2-5, AS ADDED BY HB 1198-2009, SECTION 120 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 5. ~~(a)~~ An eligible school corporation's circuit breaker replacement amount for 2009 is equal to the result determined under STEP FOUR of the following formula:

STEP ONE: Determine the amount of credits granted against the eligible school corporation's combined levy for the eligible school corporation's debt service fund; capital projects fund; transportation fund; school bus replacement fund; and racial balance fund.

STEP TWO: Determine the sum of the STEP ONE amounts for all eligible school corporations in Indiana.

STEP THREE: Divide fifty million dollars (\$50,000,000) by the STEP TWO amount, rounding to the nearest ten thousandth (0.0001).

STEP FOUR: Multiply the STEP THREE result by the STEP ONE amount, rounding to the nearest dollar (\$1).

~~(b)~~ An eligible school corporation is entitled to a grant under this chapter in calendar year 2010. The grant is equal to the eligible school corporation's circuit breaker replacement amount, as determined for calendar year 2010. An eligible school corporation's circuit breaker replacement amount for 2010 is equal to the result determined under STEP ~~FOUR~~ **SIX** of the following formula:

STEP ONE: Determine the amount of credits granted against the eligible school corporation's combined levy, ~~for the school corporation's debt service fund; capital projects fund; transportation fund; school bus replacement fund; and racial balance fund; rounded to the nearest dollar (\$1).~~

STEP TWO: Determine an amount equal to fifteen hundredths of one percent (0.15%) of the school corporation's total combined property tax levy for 2010, rounded to the nearest dollar (\$1).

STEP THREE: Determine the greater of zero (0) or the STEP ONE amount minus the STEP TWO amount.

STEP FOUR: Determine the sum of the STEP ~~ONE~~ **THREE** amounts for all eligible school corporations in Indiana.

~~STEP THREE: Divide seventy FIVE:~~ Determine the result of the lesser of:

(A) one (1); or

(B) the result of one hundred eighteen million dollars ~~(\$70,000,000)~~ **(\$118,000,000)** divided by the STEP ~~TWO~~ **FOUR** amount, rounding to the nearest ten thousandth (0.0001).

STEP ~~FOUR~~ **SIX**: Multiply the STEP ~~THREE~~ **FIVE** result by the STEP ~~ONE~~ **THREE** amount, rounding to the nearest dollar (\$1)."

Page 13, line 19, delete "under IC 20-43-6-5." and insert ", for calendar year 2009, under IC 20-43-6-5 (before its repeal) and, for calendar year 2010, under".

Page 13, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 14. IC 20-43-1-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 18.5. "New facility appeal grant" refers to the amount determined under IC 20-43-11.5."

Page 13, line 40, delete "eighty-seven million seven" and insert "**ninety-one million four**".

Page 13, line 41, delete "(\$6,587,700,000)" and insert "**(\$6,591,400,000)**".

Page 14, line 5, reset in roman "sum of the following:".

Page 14, line 6, reset in roman "(A) The".

Page 14, line 7, reset in roman "(B)".

Page 14, line 8, after "2007." insert "**The school corporation's new facility appeal grant for the immediately preceding calendar year (if any).**".

Page 15, line 24, delete "two hundred ninety-two dollars (\$2,292);" and insert "**three hundred forty-eight dollars (\$2,348);**".

Page 15, line 25, delete "six hundred eight dollars (\$4,608)." and insert "**seven hundred twenty dollars (\$4,720).**".

Page 15, line 45, delete "six hundred eight dollars (\$4,608)." and insert "**seven hundred twenty dollars (\$4,720).**".

Page 18, line 4, strike "A school corporation's".

Page 18, line 5, after "program" insert "**The**".

Page 18, line 5, after "support" insert "**for a school corporation (other than a charter school)**".

Page 18, line 5, after "is" insert "**the greater of the amount of the school corporation's basic tuition support for the immediately preceding calendar year or**".

Page 18, line 6, after "section." insert "**A charter school's basic tuition support for a calendar year is the amount determined under the applicable provision of this section.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1723 as printed February 3, 2009.)

GOODIN

Upon request of Representatives Bosma and Friend, the Speaker ordered the roll of the House to be called. Roll Call 40: yeas 52, nays 48. Motion prevailed.

HOUSE MOTION
(Amendment 1723-4)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 14, line 44, reset in roman "Determine the school corporation's ADM for the current year."

Page 14, line 44, delete "This STEP applies".

Page 14, delete lines 45 through 48.

Page 15, delete lines 1 through 3.

Renumber all SECTIONS consecutively.

(Reference is to HB 1723 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 41: yeas 48, nays 52. Motion failed.

HOUSE MOTION
(Amendment 1723-3)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 4, line 34, delete "6,423,200,000" and insert "**6,523,200,000**".

Page 4, delete lines 35 through 36.

Renumber all SECTIONS consecutively.

(Reference is to HB 1723 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 42: yeas 48, nays 52. Motion failed.

HOUSE MOTION
(Amendment 1723-7)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 9.

Page 10, delete lines 1 through 27, begin a new line blocked left and insert:

1 "SECTION 1. [EFFECTIVE JULY 1, 2009]

2

3 (a) The following definitions apply throughout this act:

4 (1) "Augmentation allowed" means the governor and the budget agency are
5 authorized to add to an appropriation in this act from revenues accruing to the
6 fund from which the appropriation was made.

7 (2) "Biennium" means the period beginning July 1, 2009, and ending June 30, 2011.
8 Appropriations appearing in the biennial column for construction or other permanent
9 improvements do not revert under IC 4-13-2-19 and may be allotted.

10 (3) "Other operating expense" includes payments for "services other than personal",
11 "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds,
12 and awards", "in-state travel", "out-of-state travel", and "equipment".

13 (4) "Personal services" includes payments for salaries and wages to officers and
14 employees of the state (either regular or temporary), payments for compensation
15 awards, and the employer's share of Social Security, health insurance, life insurance,
16 dental insurance, vision insurance, deferred compensation - state match, leave
17 conversion, disability, and retirement fund contributions.

18 (5) "Total operating expense" includes payments for both "personal services" and
19 "other operating expense".

<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

SECTION 2. [EFFECTIVE JULY 1, 2009]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the sums in this SECTION are appropriated for education for the period designated from the state general fund of the state of Indiana or other specifically designated funds.

In this SECTION, whenever there is no specific fund or account designated, the appropriation is from the state general fund.

EDUCATION

A. ELEMENTARY AND SECONDARY EDUCATION

FOR THE DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

Total Operating Expense	50,000	50,000
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The foregoing appropriations for the Indiana state board of education are for state board administrative expenses.

SUPERINTENDENT'S OFFICE

Personal Services	1,201,402	1,201,402
Other Operating Expense	1,473,322	1,473,322

RESEARCH AND DEVELOPMENT PROGRAMS

Personal Services	86,959	86,959
Other Operating Expense	300,390	300,390

Of the foregoing appropriations for Research and Development Programs, up to \$140,000 in each fiscal year is dedicated for the Center for Evaluation and Education Policy.

RILEY HOSPITAL

Total Operating Expense	27,900	27,900
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BEST BUDDIES

Total Operating Expense	250,000	250,000
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ADMINISTRATION AND FINANCIAL MANAGEMENT

Personal Services	2,144,538	2,144,538
Other Operating Expense	420,270	420,270

MOTORCYCLE OPERATOR SAFETY EDUCATION FUND

Safety Education Fund (IC 20-30-13-11)

Personal Services	132,397	132,397
Other Operating Expense	892,177	892,177

The foregoing appropriations for the motorcycle operator safety education fund are from the motorcycle operator safety education fund created by IC 20-30-13-11.

SCHOOL TRAFFIC SAFETY

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1 Motor Vehicle Highway Account (IC 8-14-1)			
2 Personal Services	242,989	242,989	
3 Other Operating Expense	30,405	30,405	
4 Augmentation allowed.			
5 EDUCATION LICENSE PLATE FEES			
6 Education License Plate Fees Fund (IC 9-18-31)			
7 Total Operating Expense	141,200	141,200	
8 CENTER FOR SCHOOL ASSESSMENT			
9 Personal Services	311,004	311,004	
10 Other Operating Expense	706,025	706,025	
11 ACCREDITATION SYSTEM			
12 Personal Services	471,732	471,732	
13 Other Operating Expense	489,547	489,547	
14 SPECIAL EDUCATION (S-5)			
15 Total Operating Expense	24,750,000	24,750,000	
16			
17 The foregoing appropriations for special education are made under IC 20-35-6-2.			
18			
19 CENTER FOR COMMUNITY RELATIONS AND SPECIAL POPULATIONS			
20 Personal Services	234,580	234,580	
21 Other Operating Expense	78,988	78,988	
22 SPECIAL EDUCATION EXCISE			
23 Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)			
24 Personal Services	344,351	344,351	
25 Augmentation allowed.			
26 CAREER AND TECHNICAL EDUCATION			
27 Personal Services	1,319,338	1,319,338	
28 Other Operating Expense	40,532	40,532	
29 ADVANCED PLACEMENT PROGRAM			
30 Other Operating Expense	953,284	953,284	
31			
32 The above appropriations for the Advanced Placement Program are to provide funding			
33 for students of accredited public and nonpublic schools.			
34			
35 PSAT PROGRAM			
36 Other Operating Expense	717,449	717,449	
37			
38 The above appropriations for the PSAT program are to provide funding for students			
39 of accredited public and nonpublic schools.			
40			
41 CENTER FOR SCHOOL IMPROVEMENT AND PERFORMANCE			
42 Personal Services	1,701,447	1,701,447	
43 Other Operating Expense	978,089	978,089	
44 PRINCIPAL LEADERSHIP ACADEMY			
45 Personal Services	320,632	320,632	
46 Other Operating Expense	142,204	142,204	
47 EDUCATION SERVICE CENTERS			
48 Total Operating Expense	2,321,287	2,321,287	
49			

<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

No appropriations made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least three dollars (\$3) per student for fiscal year 2009-2010 and at least three dollars (\$3) per student for fiscal year 2010-2011 based on the school corporation's ADM count as reported for school aid distribution in the fall of 2008. Before notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE CHILDREN IN MENTAL HEALTH FACILITIES)

Total Operating Expense	50,000	50,000
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The foregoing appropriations for transfer tuition (state employees' children and eligible children in mental health facilities) are made under IC 20-26-11-8 and IC 20-26-11-10.

TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

Total Operating Expense	2,403,792	2,403,792
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The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teacher's retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriations, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

General Fund

Total Operating Expense	6,385,450,000	6,490,850,000
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State Tuition Reserve Fund (IC 4-12-1-15.7)

Total Operating Expense	100,000,000	100,000,000
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The foregoing appropriations for distribution for tuition support are to be distributed for tuition support, special education programs, career and technical education programs, honors grants, and the primetime program in accordance with a statute enacted for this purpose during the 2009 session of the general assembly.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, any excess shall revert to the general fund.

The above appropriations for distribution for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1)

<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

1 payment shall be made at least every forty (40) days, and that the aggregate of the
2 payments in each calendar year must equal the amount required under the statute enacted
3 for the purpose referred to above.

4
5 Virtual charter school" means any entity that provides for the delivery of more than
6 fifty percent (50%) of instruction to students through virtual distance learning,
7 online technologies, or computer based instruction. A virtual charter school is not
8 entitled to any funding from the state of Indiana during the biennium and is not
9 entitled to a distribution of property taxes. This paragraph expires June 30, 2011.

10 11 NEW FACILITY ADJUSTMENT DISTRIBUTIONS (IC 20-43-11.5)

12 Other Operating Expense	10,000,000	10,000,000
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13 14 DISTRIBUTION FOR SUMMER SCHOOL

15 Other Operating Expense	18,360,000	18,360,000
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16
17 It is the intent of the 2009 general assembly that the above appropriations for summer
18 school shall be the total allowable state expenditure for such program. Therefore,
19 if the expected disbursements are anticipated to exceed the total appropriation for
20 that state fiscal year, then the department of education shall reduce the distributions
21 proportionately.

22 23 EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

24 Total Operating Expense	4,720,000	4,720,000
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25
26 The above appropriations for the early intervention program may be used for grants
27 to local school corporations for grant proposals for early intervention programs,
28 including reading recovery and the Waterford method.

29
30 The foregoing appropriations may be used by the department for the reading diagnostic
31 assessment and subsequent remedial programs or activities. The reading diagnostic
32 assessment program, as approved by the board, is to be made available on a voluntary
33 basis to all Indiana public and nonpublic school first and second grade students
34 upon the approval of the governing body of school corporations. The board shall determine
35 how the funds will be distributed for the assessment and related remediation. The
36 department or its representative shall provide progress reports on the assessment
37 as requested by the board and the education roundtable.

38 39 ADULT EDUCATION DISTRIBUTION

40 Total Operating Expense	14,000,000	14,000,000
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41
42 It is the intent of the 2009 general assembly that the above appropriations for adult
43 education are the total allowable state expenditure for such program. Therefore,
44 if the expected disbursements are anticipated to exceed the total appropriation for
45 a state fiscal year, the department of education shall reduce the distributions proportionately.

46 47 NATIONAL SCHOOL LUNCH PROGRAM

48 Total Operating Expense	5,400,000	5,400,000
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49 MARION COUNTY DESEGREGATION COURT ORDER

	<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

Total Operating Expense	18,200,000	18,200,000	
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The foregoing appropriations for court ordered desegregation costs are made pursuant to order No. IP 68-C-225-S of the United States District Court for the Southern District of Indiana. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

TEXTBOOK REIMBURSEMENT

Total Operating Expense	45,000,000	45,000,000	
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Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. Family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

The foregoing appropriations for textbook reimbursement include the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

FULL-DAY KINDERGARTEN

Total Operating Expense	86,500,000	86,500,000	
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The above appropriations for full day kindergarten are available to school corporations and charter schools that apply to the department of education for funding of full day kindergarten. The amount available to a school corporation or charter school equals the amount appropriated divided by the total number of eligible pupils (as defined in IC 20-43-1-11) enrolled in full day kindergarten in all participating school corporations and charter schools in the current year, and then multiplied by the total number of eligible pupils (as defined in IC 20-43-1-11) enrolled in full day kindergarten in the school corporation or charter school in the current year, as determined on the initial count. However, a school corporation or charter school may not receive more than \$1,132 dollars per student for full day kindergarten. A school corporation or charter school that is awarded a grant must provide to the department of education a financial report stating how the funds were spent. Any unspent funds at the end of the biennium must be returned to the state by the school corporation or charter school.

To provide full day kindergarten programs, a school corporation or charter school that determines there is inadequate space to offer a program in the school corporation's or charter school's existing facilities may offer the program in any suitable space located within the geographic boundaries of the school corporation or, in the case of a charter school, a location that is in the general vicinity of the charter school's existing facilities. A full day kindergarten program offered by a school corporation

<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

1 or charter school must meet the academic standards and other requirements of IC 20.

2
3 A school corporation or charter school that receives a grant must meet the academic standards
4 and other requirements of IC 20.

5
6 In awarding grants from the above appropriations, the department of education may
7 not refuse to make a grant to a school corporation or reduce the award that would
8 otherwise be made to the school corporation because the school corporation used federal
9 grants or loans, including Title I grants, to fund part or all of the school corporation's
10 full day kindergarten program in a school year before the school year in which the
11 grant will be given or because the school corporation intends to use federal grants
12 or loans, including Title I grants, to fund part of the school corporation's full
13 day kindergarten program in a school year in which the grant will be given.

14
15 The state board and department shall provide support to school corporations and charter
16 schools in the development and implementation of child centered and learning focused
17 programs using the following methods:

18 (1) Targeting professional development funds to provide teachers in kindergarten
19 through grade 3 education in:

20 (A) scientifically proven methods of teaching reading;

21 (B) the use of data to guide instruction; and

22 (C) the use of age appropriate literacy and mathematics assessments.

23 (2) Making uniform, predictively valid, observational assessments that:

24 (A) provide frequent information concerning the student's progress to the student's
25 teacher; and

26 (B) measure the student's progress in literacy;

27 available to teachers in kindergarten through grade 3. Teachers shall monitor students
28 participating in a program, and the school corporation or charter school shall report
29 the results of the assessments to the parents of a child completing an assessment
30 and to the department.

31 (3) Undertaking a longitudinal study of students in programs in Indiana to determine
32 the achievement levels of the students in kindergarten and later grades.

33 34 REMEDIATION

35 Other Operating Expense	41,000,000	41,000,000
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36
37 Prior to notification of local school corporations of the formula and components
38 of the formula for distributing funds for remediation, review and approval of the
39 formula and components shall be made by the budget agency.

40
41 The above appropriations for remediation shall be used by school corporations
42 to provide remediation programs for students who attend public and nonpublic schools.
43 For purposes of tuition support, these students are not to be counted in the average
44 daily membership.

45 46 GRADUATION EXAM REMEDIATION

47 Other Operating Expense	4,958,910	4,958,910
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48
49 Prior to notification of local school corporations of the formula and components

	<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

of the formula for distributing funds for graduation exam remediation, review and approval of the formula and components shall be made by the budget agency.

SPECIAL EDUCATION PRESCHOOL

Total Operating Expense	38,400,000	38,400,000
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The above appropriations for Special Education Preschool shall be distributed to guarantee a minimum of \$2,750 per child enrolled in special education preschool programs from state sources for this purpose. It is the intent of the 2009 general assembly that the above appropriation for Special Education Preschool is the total allowable expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

HEARING AID FUND (IC 20-20-37)

Other Operating Expense	6,000,000	6,000,000
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Before August 1, 2009, the budget agency shall transfer six million dollars (\$6,000,000) from the state general fund to the hearing aid fund (IC 20-20-37) for the purposes of the hearing aid fund.

Before August 1, 2010, the budget agency shall transfer six million dollars (\$6,000,000) from the state general fund to the hearing aid fund (IC 20-20-37) for the purposes of the hearing aid fund.

NON-ENGLISH SPEAKING PROGRAM

Other Operating Expense	8,000,000	8,000,000
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The above appropriations for the Non-English Speaking Program are for pupils who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is two hundred dollars (\$200) per pupil. It is the intent of the 2009 general assembly that the above appropriation for the Non-English Speaking Program is the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's distribution proportionately.

GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	211,348	211,348
Other Operating Expense	12,788,801	12,788,801

DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION

Total Operating Expense	250,000	250,000
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The distributions for adult career and technical education programs shall be made in accordance with the state plan for vocational education.

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
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PRIMETIME

Personal Services	172,566	172,566
Other Operating Expense	34,467	34,467

DRUG FREE SCHOOLS

Personal Services	52,361	52,361
Other Operating Expense	20,093	20,093

PROFESSIONAL DEVELOPMENT DISTRIBUTION

Other Operating Expense	13,812,500	13,812,500
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The foregoing appropriations for professional development distributions include schools defined under IC 20-31-2-8.

ALTERNATIVE SCHOOLS

Total Operating Expense	6,380,319	6,380,319
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**EDUCATIONAL TECHNOLOGY PROGRAM AND FUND
(INCLUDING 4R'S TECHNOLOGY GRANT PROGRAM)**

Total Operating Expense	2,109,036	2,109,036
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Of the foregoing appropriations for Educational Technology Program and Fund, \$825,000 shall be allocated to the buddy system in each state fiscal year of the biennium. The remaining amounts shall be allocated for technology programs and resources for kindergarten through twelfth grade, and the operation of the office of the special assistant to the superintendent of public instruction for technology.

TECHNOLOGY PLAN GRANT PROGRAM (IC 20-20-13)

Total Operating Expense	2,500,000	2,500,000
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Notwithstanding IC 20-20-13-17, the department of education may adjust the grant amount to reflect available funding.

PROFESSIONAL STANDARDS DIVISION**General Fund**

Personal Services	1,054,199	1,054,199
Other Operating Expense	1,762,303	1,762,303

Professional Standards Board Licensing Fund

Total Operating Expense	1,500,000	1,500,000
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Augmentation allowed.

The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

SCHOOL BUSINESS OFFICIALS ACADEMY

Total Operating Expense	150,000	150,000
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The department shall make the foregoing appropriations for School Business Officials Academy available to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership

<i>FY 2009-2010</i>	<i>FY 2010-2011</i>	<i>Biennial</i>
<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>

1 skills of practicing Indiana school business officials.

2

3 LEVY REPLACEMENT GRANT (IC 20-20-36.2)

4 Other Operating Expense	81,000,000	60,000,000
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5

6 B. INTERNET BACKBONE

7

8 FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)

9 Total Operating Expense	5,000,000	5,000,000
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10

11 The sums herein appropriated to the Indiana Higher Education Telecommunications System
 12 (IHETS) are in addition to all income of IHETS from all permanent fees and endowments
 13 and from all land grants, fees, earnings, and receipts, including gifts, grants,
 14 bequests, and devises, and receipts from any miscellaneous sales from whatever source
 15 derived.

16

17 All such income and all such fees, earnings, and receipts on hand June 30, 2009,
 18 and all such income and fees, earnings, and receipts accruing thereafter are hereby
 19 appropriated to the directors of IHETS and may be expended for any necessary expenses
 20 of IHETS. However, such income, fees, earnings, and receipts may be used for land
 21 and structures only if approved by the governor and the budget agency.

22

23 The foregoing appropriations to IHETS include the employers' share of Social Security
 24 payments for IHETS employees under the public employees' retirement fund, or the
 25 Indiana state teachers' retirement fund. The funds appropriated also include funding
 26 for the employers' share of payments to the public employees' retirement fund and
 27 to the Indiana state teachers' retirement fund at a rate to be established by the
 28 retirement funds for both fiscal years for IHETS employees covered by these retirement
 29 plans.

30

31 The directors of IHETS are hereby authorized to accept federal grants, subject to
 32 IC 4-12-1. "

Page 13, line 6, delete "year 2010." and insert "**years 2010 and 2011.**".

Page 13, line 16, delete "2011." and insert "**2012.**".

Page 13, line 39, delete "and".

Page 13, line 41, delete "2010." and insert "**2010; and (3) six billion six hundred fifty-one million five hundred thousand dollars (\$6,651,500,000) in 2011.**".

Page 14, line 5, reset in roman "sum of the following:".

Page 14, line 6, reset in roman "(A) The".

Page 14, line 7, reset in roman "(B)".

Page 14, line 8, after, "2007." insert "**The school corporation's new facility appeal grant for the immediately preceding calendar year (if any).**".

Page 15, line 22, delete "and".

Page 15, line 25, delete "(\$4,608)." and insert "**(\$4,608); and**".

Page 15, between line 25 and 26, begin a new line double block indented and insert:

"(C) in 2011:

(i) **two thousand two hundred ninety-two dollars (\$2,292); divided by**

(ii) **four thousand six hundred eight dollars (\$4,608).**".

Page 15, line 44, delete "and".

Page 15, line 45, delete "(\$4,608)." and insert "**(\$4,608); and**".

Page 15, between line 45 and 46, begin a new line double block indented and insert:

"(C) in 2011, **four thousand six hundred eight dollars (\$4,608).**".

Page 16, line 8, delete "and".

Page 16, line 9, delete "2010." and insert "**2010; and**

(C) **one (1) in 2011.**".

Page 17, line 9, delete "year 2009 and calendar year 2010;" and insert "**year years 2009, 2010, and 2011;**".

Page 17, line 17, delete "year 2009 and calendar year 2010;" and insert "**year years 2009, 2010, and 2011;**".

Page 18, line 25, delete "and".

Page 18, line 26, delete "(\$8,350)." and insert "**(\$8,350); and (C) in 2011, eight thousand three hundred fifty dollars (\$8,350).**".

Page 18, line 30, delete "and".

Page 18, line 31, delete "(\$2,265)." and insert "**(\$2,265); and (C) in 2011, two thousand two hundred sixty-five dollars (\$2,265).**".

Page 18, line 25, delete "and".

Page 18, line 35, delete "(\$533)." and insert "**(\$533); and (C) in 2011, five hundred thirty-three dollars (\$533).**".

Page 18, line 38, delete "and".

Page 18, line 39, delete "(\$533)." and insert "**(\$533); and (C) in 2011, five hundred thirty-three dollars (\$533).**".

Page 18, line 45, delete "and".

Page 18, line 46, delete "(\$74,500)." and insert "**(\$74,500); and**

(C) in 2011, **is seventy-four thousand five hundred dollars (\$74,500).**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1723 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 43: yeas 48, nays 52. Motion failed.

HOUSE MOTION

(Amendment 1723-2)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 13, delete lines 21 through 25.

Page 13, delete lines 42 through 48.

Page 14, delete line 1.

Renumber all SECTIONS consecutively.

(Reference is to HB 1723 as printed February 3, 2009.)

BOSMA

Upon request of Representatives Bosma and Friend, the Speaker ordered the roll of the House to be called. Roll Call 44: yeas 48, nays 52. Motion failed. The bill was ordered engrossed.

House Bill 1697

Representative Michael called down House Bill 1697 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1686

Representative Bosma called down House Bill 1686 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1656

Representative Austin called down House Bill 1656 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1656-5)

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 3, line 4, delete "A" and insert "**The goal for a**".

Page 3, line 4, delete "may not be awarded to" and insert "**is to award a contract to**".

Page 3, line 5, delete "who does not:" and insert "**who:**".

Page 3, line 6, delete "employ" and insert "**employs**".

Page 3, line 7, delete "eighty" and insert "**ninety**".

Page 3, line 8, delete "(80%)" and insert "**(90%)**".

Page 3, line 9, delete "eighty" and insert "**ninety**".

3. Page 3, line 8, delete "enter" and insert "**enters**".

Page 3, line 9, delete "(80%)" and insert "**(90%)**".

Page 3, line 22, delete "is" and insert "**may be**".

Page line 25, delete "contract;" and insert "**contract without cause;**".

Page 3, line 27, delete "eighty" and insert "**ninety**".

Page 3, line 27, delete "(80%)" and insert "**(90%)**".

Page 3, line 28, delete "subcontract." and insert "**subcontract without cause.**".

Page 3, delete lines 29 through 33, begin a new paragraph and insert:

"(f) **The division shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.**".

Page 4, line 16, delete "A" and insert "**The goal for a**".

Page 4, line 16, delete "may" and insert "**is to award a contract**".

Page 4, line 17, delete "not be awarded".

Page 4, line 17, delete "who does not:" and insert "**who:**".

Page 4, line 18, delete "employ" and insert "**employs**".

Page 4, line 18, delete "eighty" and insert "**ninety**".

Page 4, line 19, delete "(80%)" and insert "**(90%)**".

Page 4, line 20, delete "enter" and insert "**enters**".

Page 4, line 35, delete "is" and insert "**may be**".

Page 4, line 21, delete "eighty" and insert "**ninety**".

Page 4, line 21, delete "(80%)" and insert "**(90%)**".

Page 4, line 37, delete "eighty" and insert "**ninety**".

Page 4, line 38, delete "contract;" and insert "**contract without cause;**".

Page 4, line 38, delete "(80%)" and insert "**(90%)**".

Page 4, line 40, delete "eighty" and insert "**ninety**".

Page 4, line 40, delete "(80%)" and insert "**(90%)**".

Page 4, line 41, delete "subcontract." and insert "**subcontract without cause.**".

Page 4, delete line 42, begin a new paragraph and insert:
"(f) The entity awarding a public works contract shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met."

Page 5, delete lines 1 through 4.

Page 9, line 22, delete "A" and insert **"The goal for a"**.

Page 9, line 22, delete "may" and insert **"is to award a contract"**.

Page 9, line 23, delete "not be awarded".

Page 9, line 23, delete "who does not:" and insert **"who:"**.

Page 9, line 24, delete "employ" and insert **"employs"**.

Page 9, line 24, delete "eighty" and insert **"ninety"**.

Page 9, line 25, delete "(80%)" and insert **"(90%)"**.

Page 9, line 27, delete "enter" and insert **"enters"**.

Page 9, line 41, delete "is" and insert **"may be"**.

Page 10, line 2, delete "contract;" and insert **"contract without cause;"**.

Page 10, line 5, delete "subcontract." and insert **"subcontract without cause."**

Page 10, delete lines 6 through 10, begin a new paragraph and insert:

"(f) The commission shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met."

SECTION 10. IC 8-14-14-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 9. (a) There is annually appropriated to the department the amount needed (when added to federal funds and other revenues available to the department) from the fund for the purpose of completing the projects described in subsection (b). Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to the fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.**

(b) Money in the fund shall be used to complete the following projects:

Major New Construction - 2009				
County	Route	Project Location	ID	DES
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	231	9904300
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Vigo	SR 641	From US 41 to 0.25 mile N of existing Feree Rd, (PhIIC)	36	400857
Marion	I 465	I-465 mainline pavement Sta 650+50-Sta 820+00	1	300371
Marion	I 465	At Airport Expwy and I-465 (W Leg) interchange & mainline	1	9829310
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	215	9961366
Lake	I 80	At I-65 from 0.6 KM W of Martin Luther King Dr to Central Ave (Phase IVC)	293	500593
Washington	SR 60	From SR 56 (E of Salem at Quaker Rd) S on New Alignment to SR 60	171	11110
Hancock	I 70	At Mt Comfort Rd, 7.7 miles W of SR 9 (phase II)	25	9706740
Various	I 69	New I-69 Evansville to Indianapolis	294	500431
Allen	US 24	From 0.5 mi E of Webster Rd to 0.5 mi W of SR 101 - Phase 3	218	200222
Tippecanoe	US 231	From 0.5 mile N of Wabash River to SR 26 W of West Lafayette	216	9700830
St. Joseph	SR 331	From just S of 12th Street to just S of SR 933	127	200872
Tippecanoe	US 231	From SR 26 to US 52	216	300431
Monroe	SR 46	From 3rd St to Walnut St (Bypass)	150	9010075
St. Joseph	SR 23	1.90 miles to 2.70 miles north of SR 331 through Granger	90	500119

Warrick	SR 66	From French Island Trail (former SR 662) to Yankeetown Rd (Phase III)	183	922074B
Lake	SR 2	From 0.8 mile W of I-65 to 0.9 mile E of I-65	82	9706420
Allen	SR 3	From Ludwig Rd to Dupont Rd	118	9704140
Gibson	SR 64	From 9th St to State St in Princeton	372	8915400
Jefferson	SR 62	From SR 56 E jct to bridge over Big Clifty Creek	173	9902940
Floyd	SR 111	From Beechwood Ave to Mt Tabor Rd	54	9902920
Major New Construction - 2010				
County	Route	Project Location	ID	DES
St. Joseph	US 31	From 3.21 miles S of US 20 (Madison Road) to 1.13 miles S of US 20 (Kern Road)	231	14080
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	231	9904300
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Floyd	I 64	I-64 Interchange with SR 62 and SR 64	6	101102
Vigo	SR 641	From 0.25 mile N of existing Feree Rd to approx 500 M N of Riley Rd, (Ph IIIA)	36	9738400
Marion	I 465	I-70 interchange & I-465 mainline	1	300349
Tippecanoe	SR 25	Hoosier Heartland - From I-65 to CR 450 N (Segment 1 - Phase A)	98	9802920
Spencer	US 231	From 0.17 mile N of SR 70 to CR 1250N (Phase II)	215	926136A
Marion	I 465	At SR 37 (S jct)	4	9802810
Various	I 69	New I-69 Evansville to Indianapolis	294	500430
Steuben	I 69	At US 20	23	300942
Allen	US 24	From 0.5 mi E of I-469 to 0.5 mi E of Ryan/Bruick Rd - Phase 1	218	300291
Bartholomew	I 65	I-65 Interchange with SR 58	9	101101
Johnson	SR 135	From Stones Crossing Rd (CR 700N) to CR 850N	62	9803440
St. Joseph	SR 331	From US 20 Bypass, just S of 12th St	127	9804320
Warrick	SR 62	From 6th St to 0.15 mile E of W UAB of Boonville (Phase II)	175	8823155
St. Joseph	SR 331	From just N of SR 933 to just S of Jefferson Boulevard	127	200874
Bartholomew	US 31	From CR 50N 1.48 miles S SR 46 to 2.46 miles N of SR 46	227	9700230
Allen	SR 930	Interchange at Washington St. and Coliseum Blvd.	199	400012
Marion	SR 67	From Thompson Rd to I-465	188	9700340
Delaware	I 69	At SR 67 and SR 32	21	9700420
LaPorte	US 421	From S Jct. of SR 2 to N Jct. of SR 2	257	201302
Delaware	US 35	At McGalliard Rd from 1.36 miles to 2.36 miles N of SR 32	236	13840
Vanderburgh	US 41	At South Jct of SR 62/SR 66 (Lloyd Expressway)	249	15020

Howard	US 35	From Goyer Rd to Bridge over Wildcat Creek	237	9706380
Hancock	US 52	From 1.33 miles E of I-465 to the Marion/Hancock Co Ln	266	9704160
Major New Construction - 2011				
County	Route	Project Location	Dist	ID
Lake	I 65	New Interchange at 109th Street	LaPorte	379
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Harrison	I 64	New interchange west of SR 135 interchange	Seymour	8
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 1)	Greenfield	1
Vigo	SR 641	At SR 46/Riley Road, (phase III B)	Crawfordsville	36
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	Vincennes	215
Tippecanoe	SR 25	Hoosier Heartland - From I-65 to CR 450 N (Segment 1 - Phase A)	Crawfordsville	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Allen	US 24	Fr 0.5 mi E of Ryan/Bruick Rd to 0.5 mile E of Webster Rd Phase 2	Ft. Wayne	218
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Jackson	I 65	At SR 11	Seymour	15
Hamilton	SR 32	From SR 37 to SR 38 E jct	Greenfield	120
St. Joseph	SR 23	from 0.5 mile N of SR 331 (Brick Rd) to 1.9 miles N of SR 331 (Adams Rd)	LaPorte	90
Jefferson	SR 250	From SR 7 To US 421	Seymour	100
St. Joseph	SR 331	From just N of Douglas Road to SR 23	LaPorte	127
LaGrange	SR 5	From US 20 to US 120	Ft. Wayne	156
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249
Monroe	SR 37	At Monroe Dam Road	Seymour	130
LaPorte	SR 2	from K Street to 1st St	LaPorte	83
Kosciusko	SR 15	From 0.5 KM to 6.2 KM N of US 30 at CR 600N	Ft. Wayne	70
Porter	SR 49	At CR 400N, 2.7 miles N of US 30	LaPorte	154
LaPorte	US 20	Ramp from EB US 20 to EB US 20/35	LaPorte	208
Perry	SR 66	From 1.83 miles E of E jct with SR 37 to 0.09 mile W of W jct SR 237	Vincennes	179
Monroe	SR 45	From Pete Ellis Dr to Russell Rd	Seymour	147
Delaware	SR 67	At Cowan Rd from 2.57 miles to 1.57 miles W of SR 3	Greenfield	186

Major New Construction - 2012

County	Route	Project Location	District	ID
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	From approx 500 meters N of SR 46/Riley Rd to I-70 (Phase IVA)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 2)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Tipp/Carroll CL to E of CR 200N (Segment 2 - Phase A)	LaPorte	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Orange	SR 237	From US 150/SR 56 to SR 37 Connector	Vincennes	92
Marion	I 465	Maintenance of traffic & 82nd St and Westfield Overpasses on I-465 North side project	Greenfield	2
Hendricks	US 36	US 36 from SR 267 to I-465 W Leg	Crawfordsville	241
Johnson	SR 135	From SR 144 to Stones Crossing Rd (CR 700N)	Seymour	62
Warrick	SR 261	From SR 66 to Jenner Rd (CR 150S) 2.88 miles N of SR 66, Paoli bypass	Vincennes	107
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Allen	SR 14	From West Hamilton Rd. to Scott St.	Ft. Wayne	64
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249
St. Joseph	SR 23	0.2 mi south of Campeau St to 0.05 mi south of Edison Rd in South Bend	LaPorte	320
Madison	US 36	From S jct with SR 9 to Fall Creek, 2.1 mi N of S jct with SR 9	Greenfield	240
Elkhart	US 33	From Monroe St to SR 15 (Main St)	Ft. Wayne	390
Hancock	US 52	From the Marion/Hancock County Line to CR 500W	Greenfield	266
Boone	US 421	From 0.62 mile N of SR 334 to SR 32	Crawfordsville	254
Jefferson	US 421	Madison-Milton Bridge	#N/A	397

Major New Construction - 2013

County	Route	Project Location	District	ID
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Marshall	US 31	From US 30 at Plymouth to existing US 31 S of Lakeville	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296

Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	At SR46/SR 641 (Phase IV B)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 3)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)	LaPorte	98
Warrick	SR 61	From SR 62 To 4 mi. N. of SR 62	Vincennes	172
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	From 0.5 mile W of I-69 Interchange to south end of bridge over Fall Creek	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From I-865 (formerly I-465 NW Connector) to 0.5 Mile N of SR 334	Crawfordsville	10
Marion	I 70	From 0.6 mi E of Post Road to 0.5 mi E of Mt Comfort Road	Greenfield	292
Elkhart	US 33	From CR 40 to College Ave (CR 36)	Ft. Wayne	390

Major New Construction - 2014

County	Route	Project Location	District	ID
Marion	I 69	From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange	Greenfield	22
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 65	Approach for New Bridge over Ohio River I-65	Seymour	11
Dubois	US 231	Huntingburg/Jasper By-pass	Vincennes	212
Carroll	SR 25	Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)	LaPorte	98
Cass	SR 25	Hoosier Heartland - From Cass CR 300S to US 24/US 35 (Segment 4)	LaPorte	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	From 0.5 mile W of Allisonville Rd Interchange to 0.5 mile W of I-69 Interchange	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From 0.5 mile N of SR 334 to US 52	Crawfordsville	10
Elkhart	SR 13	US 20 to York St in Middlebury	Ft. Wayne	306
Elkhart	SR 13	York St in Middlebury to SR120	Ft. Wayne	306
Jackson	US 50	From US 31 to West UAB of North Vernon	Seymour	259
Floyd	I 64	From I-265 To SR 111	Seymour	7

Hancock	I 70	From 0.5 miles E of Mt Comfort Rd to 0.8 miles E of SR 9	Greenfield	292
Dekalb	SR 8	From SR 327 to I-69	Ft. Wayne	192
Elkhart	US 33	From College Ave (CR 36) to Monroe St	Ft. Wayne	390

Major New Construction - 2015

County	Route	Project Location	District	ID
Marion	I 69	From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange	Greenfield	22
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 65	Approach for New Bridge over Ohio River I-65	Seymour	11
Dubois	US 231	Huntingburg/Jasper By-pass	Vincennes	212
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	Fr 0.5 mi W of Keystone/SR 431 Interch to 0.5 mile W of Allisonville Rd Interch	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From 0.5 mile N of SR 334 to US 52	Crawfordsville	10
Elkhart	SR 13	SR120 to I-80/90	Ft. Wayne	306
Elkhart	US 131	I-80/90 to Michigan State Line	Ft. Wayne	306
Hamilton	SR 32	From US 31 to Moontown Road	Greenfield	120
Hamilton	SR 32	From Moontown Road to River Avenue	Greenfield	120
Marion	I 65	From 0.5 mile S of Southport Rd to 0.25 mile S of I-465	Greenfield	16
Jennings	US 50	From West UAB of North Vernon to East UAB of North Vernon	Seymour	259
Delaware	US 35	From 2.00 miles south of SR 28 (End of Dual Lanes - Muncie By-Pass) to SR 28	Greenfield	236
Clark	I 65	From 0.5 mile N of Memphis Rd to 0.5 mile N of SR 160	Seymour	12
Marion	I 74	I-74 Interchange at Post Rd	Greenfield	31
Elkhart	US 20	From 1.25 Miles E of CR 17 to SR 15.	Ft. Wayne	206
Allen	SR 930	From 2.67 miles W of I-469 to Minnich Road	Ft. Wayne	198
Jay	SR 67	From 1.59 miles S of SR 26 to US 27	Greenfield	187

Major Pavement Preservation - 2009

County	Rte	Project Location	District	DES
Harrison	I 64	From SR 135 to US 150	Seymour	501208

Bartholomew	I 65	From bridge over county road 350S to bridge over Driftwood River	Seymour	501213
Bartholomew	I 65	From bridge over Driftwood River to bridge over county road 100 north	Seymour	501214
Putnam	I 70	From 0.44 mi west of bridge over Birch Creek to 0.33 west of US 231	Crawfordsville	501233
Marion	I 70	From 0.5 east of I-465 to 0.3 mi west of Harding St	Greenfield	501234
Hancock	I 70	From 0.5 mi east of SR 9 (Brandywine Creek Bridge) to 0.26 mi east of SR 109	Greenfield	501235
Wayne	I 70	From 0.16 mi east of Centerville Road to 0.11 mi east of US 35	Greenfield	501238
Hendricks	I 74	From 0.5 mi west of SR 32 to 0.5 mi west of SR 39 (Ross Ditch Bridge)	Crawfordsville	501242
Hendricks	I 74	From 0.5 mi west of SR 39 (Ross Ditch Bridge) 0.5 mi west of SR 267 (56th Bridge)	Crawfordsville	501243
Jay	SR 1	From 2.49 miles N of N jct SR 26 to 3.55 miles N of N jct SR 26	Greenfield	100716
Marion	SR 135	From Meridian St to US 31 (Thompson Rd)	Greenfield	13870
Lake	SR 2	From the Illinois State Line to US 41	LaPorte	9611330
Howard	SR 26	From bridge over West Fork Little Wildcat Creek to US 31	Greenfield	200033
Rush	SR 3	From 0.27 mile S of SR 44 to 1.34 miles north of SR 44	Greenfield	13750
Tippecanoe	SR 38	From 0.45 to 1.35 miles E of I-65 through Dayton	Crawfordsville	9802490
Morgan	SR 39	From N junction with SR 42 to US 40	Crawfordsville	9608950
Hendricks	SR 39	From 1.85 miles N of US 40 to 2.63 miles N of US 40 thru Clayton	Crawfordsville	9900830
Morgan	SR 42	From 0.15 mile E of SR 39 to 0.44 mile W of SR 267	Crawfordsville	9608900
Johnson	SR 44	From I-65 to the WCL of Shelbyville	Greenfield	9610160
Clay	SR 59	From SR 157 to 0.3 mile N of N Jct with SR 246	Crawfordsville	9900820
Madison	SR 9	From 2.10 miles N of S jct SR 9 (Fall Creek) to I-69	Greenfield	14010
Fountain	US 136	From 0.35 mile E of Wabash River to 1.28 miles E of Wabash River	Crawfordsville	9900810

Jay	US 27	From 0.87 mile N of SR 26/SR 67 (N jct) to SR 18/SR 67	Greenfield	100568
Union	US 27	From 0.50 km S of SR 44 S Jct to 0.57 km N of SR 44 N Jct	Greenfield	9901290
Wayne	US 40	From 1.97 miles W of US 27 to 0.69 mile W of US 27	Greenfield	9802560
Hancock	US 52	From 7.59 miles E of I-465 to 8.29 miles E of I-465	Greenfield	13690
Rush	US 52	From 1.5 KM W of SR 3 to SR 3	Greenfield	9901320
Elkhart	US 6	From Tomahawk Dr to 0.9 mile E of Tomahawk Dr	Fort Wayne	9507090

Major Pavement Preservation - 2010

County	Route	Project Location	District	DES
Marion	I 465	From I-74 to 0.51 miles east of SR 37 (ICG R/R)	Greenfield	500474
Vigo	I 70	From the Illinois/Indiana State Line to just W of the Wabash River bridge	Crawfordsville	400513
Marion	I 70	From 1.88 miles east of I-465 to 0.4 miles east of SR 9	Greenfield	500538
Decatur	I 74	From Shelby county line to SR 3	Seymour	501245
Dearborn	I 74	From SR-101 to SR-1	Seymour	501247
Boone	I 865	From I-65 to I 465	Greenfield	501249
Elkhart	SR 19	From 2.61mi N of US 20 (Lusher Ave) to 4.1mi N of US 20 (Bypass Rd) (Phs II)	Fort Wayne	9801130
Howard	SR 26	From 4.5 miles E of SR 29 to 2.18 miles W of US 31	Greenfield	9610180
Hamilton	SR 32	From 2.41 miles W of SR 37 (approx location New Hague Road Extension) to SR 37	Greenfield	9802570
Clinton	SR 38	From SR 28 to 1.0 mile E of SR 28 at South Frankfort Corp Line	Crawfordsville	12760
Vermillion	SR 63	From 0.11 mile S of US 36 to 0.62 mile N of SR 234	Crawfordsville	100539
LaPorte	US 35	From Kingsbury Ave 1.25 miles S of SR 2 to SR 2	LaPorte	14400
Vanderburgh	US 41	From 3 mi N SR 57 (Boon/N Harm Rd) to 1.01 mi S of SR 168 (Coal Mine Rd) - Stage 1	Vincennes	101170
Lake	US 41	From 255m N of Sheffield Ave. to 106m N of US 12/ US 20 (Section V)	LaPorte	996587 M

Clinton	US 421	From N jct with SR 28 to 2.39 miles N of N jct with SR 28	Crawfordsville	12770
Major Pavement Preservation - 2011				
County	Route	Project Location	District	DES
Marion	I 465	From to Fall Creek bridge to US 40	Greenfield	501182
Allen	I 469	From 0.7 mile West of SR 1 to .05 mile East of US 27	Fort Wayne	400603
Allen	I 469	From 0.5 mile East of US27 S to 0.32 miles South of Tillman Rd,	Fort Wayne	400604
Jasper	I 65	From 0.69 Mile S of US 24 to 0.35 Mile N of US 24 (TPW Railroad to US 24)	LaPorte	300456
Marion	I 65	From RP 107+0.63 to 109+0.82	Greenfield	400605
Clark	I 65	From Kentucky state line to US 31	Seymour	501210
Steuben	I 69	From 0.5 mi north of SR 8 to 0.5 south of US 20	Fort Wayne	501232
Marion	I 70	From Belmont to Senate Ave.	Greenfield	400607
Henry	I 70	From RP 115+0.38 to 122+0.68	Greenfield	400610
Shelby	I 74	From London Road Interchange to Decatur County Line	Greenfield	500014
Montgomery	I 74	From 0.27 west of US 41 to 0.43 mi west of SR 25 (East Fork Coal Creek Bridge)	Crawfordsville	501240
Dearborn	I 74	From SR 1 to Ohio State Line	Seymour	501248
Shelby	I 74	From bridge over Snail Creek to bridge over Big Blue River	Greenfield	501252
Putnam	SR 240	From 4.25 miles E of US 231 to SR 75	Crawfordsville	100541
Clinton	SR 26	From E Corp limits of Rossville to Clinton/Howard County Line	Crawfordsville	9608970
Hendricks	SR 267	From 1.49 miles S of US 136 to 0.52 mile N of US 136	Crawfordsville	9608920
Madison	SR 32	From 3.33 miles to 0.39 mile W of SR 9 S junction	Greenfield	13770
Owen	SR 46	From SR 246 to W jct SR 67/US 231	Seymour	14380
Delaware	SR 67	From S Jct with SR 28 to SR 167	Greenfield	500183
Wayne	US 27	From SCL of Richmond to 0.12 mile N of N jct SR 227/121 at Whitewater River	Greenfield	100701
Clay	US 40	From 1.55 miles W to 1.68 miles E of SR 59	Crawfordsville	9608890

Vanderburgh	US 41	From 0.65 mi N SR 57 Vincennes (Mt Pleasant Rd) to 3.25 mi N SR 57 (Boonville/New Harmony Rd)	200849
Vanderburgh	US 41	From Eagle Creek Slough to 0.3 mile S of N Jct with SR 66	Vincennes 9903240
Tippecanoe	US 52	From Wabash River to 3.03 miles E of Wabash River at Union Street	Crawfordsville 100699
Tippecanoe	US 52	From 1.22 miles W of SR 26 (Beech Drive) to SR 25/SR 38 (Main Street)	Crawfordsville 9802510

(c) This section expires July 1, 2016."

Page 14, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 15. IC 8-23-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "designated federal funds" refers to the total amount of:

- (1) federal highway bridge program funds authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59 that are apportioned to Indiana by the United States Department of Transportation Federal Highway Administration;
- (2) federal equity bonus program funds authorized under Section 105(a) of the Title 23 of the United States Code;
- (3) federal surface transportation program funds authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59; and
- (4) Indiana's apportionment of grants available to the states for transportation purposes under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009.

The term includes any amount appropriated by law for use by the department.

(b) Notwithstanding any other law, in the period beginning July 1, 2008, and ending June 30, 2010, and again in the period beginning July 1, 2010, and ending June 30, 2011, the budget agency shall allot and the department shall make available for grants to counties, cities, and towns the following amounts from designated federal funds for the purposes for which the designated federal funds may be used:

- (1) Two hundred fifty million dollars (\$250,000,000) to counties.
- (2) Two hundred fifty million dollars (\$250,000,000) to cities and towns.

(c) The amount set aside under this section:

- (1) for counties shall be allocated among the counties by the formula used to allocate money to counties from the motor vehicle highway account (as defined in IC 8-14-1-1); and
- (2) for cities and towns shall be allocated among cities and towns in one (1) installment by the formula used to allocate money to cities and towns from the motor vehicle highway account (as defined in IC 8-14-1-1).

(d) A county, city, or town shall separately account for

money allocated under this section. The county, city, or town may use money allocated to the county, city, or town under this section only for the purposes for which the designated federal funds may be used. The eligibility of a county, city, or town to:

- (1) use any part of fifty percent (50%) of the amount allocated to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2009, lapses on September 1, 2009; and
- (2) use any remaining part of the allocation to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2010, lapses on September 1, 2010.

Any part of an allocation that lapses under this section immediately becomes available for any other purpose for which designated federal funds may be used.

(e) The department may adopt rules and establish guidelines to implement this section.

(f) There is appropriated to the department five hundred million dollars (\$500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2008, and ending June 30, 2010. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

(g) There is appropriated to the department five hundred million dollars (\$500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2010, and ending June 30, 2011. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

SECTION 12. IC 8-23-3-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: Sec. 13. (a) The department shall establish a community infrastructure assistance program. The department shall provide technical and engineering assistance and guidance to assist local units of government to qualify for economic stimulus funds, other federal and other funds that are available for transportation purposes. In addition to other money that may be available for this purpose, there is appropriated to the department:

- (1) ten million dollars (\$10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009,

beginning July 1, 2008, and ending June 1, 2010; and
 (2) ten million dollars (\$10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009, beginning July 1, 2010, and ending June 1, 2011."

Page 16, line 17, delete "A" and insert "The goal for a".

Page 16, line 17, delete "may" and insert "is to award a contract".

Page 16, line 18, delete "not be awarded".

Page 16, line 18, delete "who does not:" and insert "who:".

Page 16, line 19, delete "employ" and insert "employs".

Page 16, line 19, delete "eighty" and insert "ninety".

Page 16, line 20, delete "(80%)" and insert "(90%)".

Page 16, line 22, delete "enter" and insert "enters".

Page 16, line 36, delete "is" and insert "may be".

Page 16, line 23, delete "eighty" and insert "ninety".

Page 16, line 23, delete "(80%)" and insert "(90%)".

Page 16, line 38, delete "eighty" and insert "ninety".

Page 16, line 39, delete "contract;" and insert "contract without cause;".

Page 16, line 39, delete "(80%)" and insert "(90%)".

Page 16, line 41, delete "eighty" and insert "ninety".

Page 16, line 41, delete "(80%)" and insert "(90%)".

Page 16, line 42, delete "subcontract." and insert "subcontract without cause.".

Page 17, line 2, delete "eighty" and insert "ninety".

Page 17, line 2, delete "(80%)" and insert "(90%)".

Page 17, line 3, after "subcontract" insert "without cause".

Page 17, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 19. IC 22-4.1-17 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]:

Chapter 17. Adult Workforce Training Grant

Sec. 1. As used in this chapter, "eligible adult student" means an individual who:

- (1) is an Indiana resident;
- (2) is unemployed or under-employed because the individual's most recent full-time employer ceased operations or otherwise reduced the employer's labor force; and
- (3) before the individual was terminated by the individual's former employer, had the individual's principal place of employment at an Indiana location.

Sec. 2. As used in this chapter, "qualified educational program" means an educational program:

- (1) offered by an educational institution that is an accredited postsecondary educational institution or a vocational school that is not an accredited postsecondary educational institution; and
- (2) designed to be completed in at least two (2) academic years.

Sec. 3. As used in this chapter, "qualified tuition and related expenses" has the meaning set forth in Section 25A(f) of the Internal Revenue Code. However, the term applies only to a grantee of an award under section 4 of this chapter.

Sec. 4. (a) Subject to the availability of funds, the department may award grants for qualified tuition and related expenses incurred by eligible adult students after the earlier of:

- (1) May 1, 2009; or
- (2) the date on which this chapter initially becomes law;

for enrollment in a qualified educational program.

(b) Grants awarded under this chapter are subject to the following limitations:

- (1) The total of all grant amounts awarded to an eligible adult student in a calendar year may not exceed three

thousand dollars (\$3,000).

(2) An eligible adult student may not receive a grant under this chapter for more than two (2) calendar years.

(c) A grantee of an award under this chapter must enter into an agreement with the department before the department may disburse any money to or on behalf of the grantee. The agreement must include:

(1) a requirement that the grantee will be obligated to repay grant money disbursed to or on the grantee's behalf if the grantee does not successfully complete the educational program for which the grant was made;

(2) a requirement that the grantee will keep the department apprised of the grantee's academic progress, in the manner prescribed by the department; and

(3) any other reasonable condition that the department considers advisable.

Sec. 5. The department shall, if possible, make disbursements of grant money directly to a grantee's educational institution for qualified tuition and related expenses charged to the grantee. If:

(1) it is not possible to make disbursements of grant money directly to a grantee's educational institution; or

(2) the amount of the grant award exceeds the amount of qualified tuition and related expenses charged to the grantee by the educational institution;

the department shall disburse the balance of the grant money directly to the student. The department shall make disbursements of money for grants under this chapter by the due date of the charges or, otherwise, promptly upon notification in accordance with the department's prescribed method of reporting.

Sec. 6. The department shall prescribe the manner in which an individual may apply for a grant under this chapter.

Sec. 7. The department shall prescribe procedures for notice, hearing, and appeal if the department seeks repayment of grant money under section 4(c)(1) of this chapter.

Sec. 8. In addition to any other money that is available to the department for the purposes of this chapter, there is appropriated to the department a sufficient amount from Indiana's apportionment of grants to the states for dislocated worker employment and training activities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out this chapter, beginning July 1, 2008, and ending June 30, 2011."

Page 17, line 30, delete "A" and insert "The goal for a".

Page 17, line 30, delete "may" and insert "is to award a contract".

Page 17, line 31, delete "not be awarded".

Page 17, line 31, delete "who does not:" and insert "who:".

Page 17, line 32, delete "employ" and insert "employs".

Page 17, line 35, delete "enter" and insert "enters".

Page 17, line 39, delete "is" and insert "may be".

Page 17, line 32, delete "eighty" and insert "ninety".

Page 17, line 33, delete "(80%)" and insert "(90%)".

Page 17, line 36, delete "eighty" and insert "ninety".

Page 17, line 36, delete "(80%)" and insert "(90%)".

Page 17, line 41, delete "eighty" and insert "ninety".

Page 17, line 42, delete "contract;" and insert "contract without cause;".

Page 17, line 42, delete "(80%)" and insert "(90%)".

Page 18, line 2, delete "eighty" and insert "ninety".

Page 18, line 2, delete "(80%)" and insert "(90%)".

Page 18, line 3, delete "subcontract." and insert "subcontract without cause.".

Page 18, delete lines 4 through 42.

Delete page 19.

Page 20, delete lines 1 through 16, begin a new paragraph and insert:

"(e) The department shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.

SECTION 20. P.L.234-2007, SECTION 26 IS REPEALED [EFFECTIVE JULY 1, 2009].

SECTION 21. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **(a) There is appropriated to the following institutions a sufficient amount from Indiana's apportionment of grants to the states for the purpose of modernizing, renovating, and repairing institution of higher education facilities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out the following purposes, beginning July 1, 2008, and ending June 30, 2011: REPAIR AND REHABILITATION**

**Indiana University South Bend
Education and Arts Building (Associates) Renovation
(A-8-03-2-11)
University of Southern Indiana
General R&R Projects (G-0-09-2-02)
Indiana State University
General R&R Projects (C-1-09-2-01)
Purdue University
General R&R Projects (B-0-09-6-07)
Indiana University Bloomington
General Infrastructure R&R Projects (A-1-09-2-02)
Indiana University Bloomington
Wright School of Education Roof Replacement
(A-1-09-2-15)
Purdue University West Lafayette
Campus Wide Utility Tunnel Repairs and
Waterproofing Phase 1-C (3rd Street) (B-1-09-2-20)
Vincennes University
General R&R (E-1-07-2-02)**

(b) The budget agency, with the approval of the governor, in approving the allocation of funds under this SECTION, shall consider, as funds are available, allocations for the specific uses, purposes, and projects in subsection (a).

(c) If any part of a construction or rehabilitation and repair appropriation made by this SECTION has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made."

Renumber all SECTIONS consecutively.

(Reference is to HB 1656 as printed February 3, 2009.)

BOSMA

Upon request of Representatives Bosma and Friend, the Speaker ordered the roll of the House to be called. Roll Call 45: yeas 100, nays 0. Motion prevailed.

HOUSE MOTION (Amendment 1656-2)

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 18, line 42, delete "For the period" and insert **"As used in this SECTION, "qualified project" refers to the following:**

(1) The extension of Interstate Highway 69 from Indianapolis to Evansville.

(2) The construction of new Ohio River bridges on Interstate Highway 65 and Interstate Highway 265."

Page 19, line 1, delete "beginning", begin a new paragraph and insert:

"(b) Beginning".

Page 19, line 10, delete "(b)" and insert "(c)".

Page 19, line 10, delete "(a)" and insert **"(b)"**.

Page 19, line 12, delete "(a)" and insert **"(b)"**.

Page 19, line 17, after "on" delete "the" and insert **"a qualified project."**

Page 19, delete lines 18 through 19.

Page 19, line 20, delete "(c)" and insert **"(d)"**.

Page 19, line 20, delete "(a)" and insert **"(b)"**.

Page 19, line 22, delete "(b)" and insert **"(c)"**.

Page 19, line 24, delete "(a)" and insert **"(b)"**.

Page 19, line 25, delete "(d)" and insert **"(e)"**.

Page 19, line 25, delete "(a)(1)" and insert **"(b)(1)"**.

Page 19, line 31, delete "(e)" and insert **"(f)"**.

Page 19, line 31, delete "(a)(2)" and insert **"(b)(2)"**.

Page 19, line 37, delete "(f)" and insert **"(g)"**.

Page 20, line 8, delete "(g)" and insert **"(h)"**.

Page 20, line 8, delete "(a)(3)" and insert **"(b)(3)"**.

Page 20, line 16, delete "(h)" and insert **"(i)"**.

(Reference is to HB 1656 as printed February 3, 2009.)

STEMLER

Motion prevailed.

HOUSE MOTION (Amendment 1656-4)

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 10, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 10. IC 8-14-15-4, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The authority shall establish a next generation trust fund to hold title to proceeds transferred to the trust under IC 8-15.5-11 to be used exclusively for the provision of highways, roads, and bridges for the benefit of the people of Indiana and the users of those facilities.

(b) Subject to this chapter, the trust ~~shall be established as~~ is a charitable trust, separate from the state, but for the benevolent public purpose provided in this section.

(c) The trust consists of the proceeds transferred to the trust under IC 8-15.5-11 and any income that accrues from the investment of these proceeds.

SECTION 11. IC 8-14-15-6, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Except as provided in subsection (b), a trust established under this chapter must be an irrevocable trust and may not be revoked or terminated by the authority or any other person, nor may it be amended or altered by the authority or any other person. However, the terms of the trust must provide that the trust terminates when no funds remain in the trust.

(b) Terms of the trust prohibiting any person from diminishing the principal of the trust do not apply if the general assembly enacts a statute appropriating any part of the principal or otherwise authorizing a reduction of the principal.

SECTION 12. IC 8-14-15-10, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The principal of the trust may ~~not only~~ be diminished during the term of the trust in accordance with a statute enacted by the general assembly.

(b) The income that accrues from investment of the trust shall be deposited in the trust.

(c) On March 15, 2011, March 15, 2016, and March 15 every five (5) years thereafter, the treasurer of state shall transfer all interest accruing to the trust to the major moves construction fund.

SECTION 13. IC 8-14-15-12, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) ~~This section~~

applies Except as provided in subsection (b), the attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1 if a person does any of the following with respect to a trust created under this chapter:

- (1) Commits a breach of the trust.
- (2) Violates the mandate of the trust or trust agreement.
- (3) Violates a duty imposed by this chapter, the trust agreement, or IC 30-4.

~~(b) The attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1.~~

(b) Subsection (a) does not apply to the following:

- (1) The general assembly.**
- (2) Any action of the trustee necessary to carry out the purposes of a statute enacted by the general assembly, including a statute to appropriate any part of the principal of the trust.**
- (3) Any action of the auditor of state, the budget agency, or any other agency, authority, board, commission, or employee of the state to carry out a statute to appropriate any part of the principal of the trust.**

SECTION 14. IC 8-14-15-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. The general assembly finds the following:**

- (1) That the world, United States, and Indiana economies have drastically changed since the general assembly enacted this chapter in 2006.**
- (2) That investment, employment, and state and local tax revenues have declined significantly and are expected to continue to decline.**
- (3) That improving the Indiana economy is the general assembly's first priority.**
- (4) That the principal of the next generation trust fund is a state resource that must be used to stimulate investment and employment in Indiana.**
- (5) That appropriating any part of the principal of the next generation trust fund is in the public interest.**
- (6) That the economic conditions of 2009 justify the amendments to this chapter to make the principal of the next generation trust fund available to stimulate the Indiana economy in the manner prescribed by the general assembly."**

Page 19, line 1, delete "July" and insert "May".

Page 19, line 2, delete "major moves construction" and insert **"next generation trust"**.

Page 19, line 2, after "fund" insert **"established under IC 8-14-15"**.

Page 19, line 4, delete "Four" and insert **"Two"**.

Page 19, line 4, after "hundred" insert **"fifty"**.

Page 19, line 4, delete "(\$400,000,000)" and insert **"(\$250,000,000)"**.

Page 19, line 6, delete "Four" and insert **"Two"**.

Page 19, line 6, after "hundred" insert **"fifty"**.

Page 19, line 6, delete "(\$400,000,000)" and insert **"(\$250,000,000)"**.

Page 19, delete lines 8 through 24.

Page 19, line 25, delete "(d)" and insert **"(b)"**.

Page 19, line 31, delete "(e)" and insert **"(c)"**.

Page 19, line 37, delete "(f)" and insert **"(d)"**.

Page 20, line 7, delete "major moves construction" and insert **"next generation trust"**.

Page 20, delete lines 8 through 15.

Page 20, line 16, delete "(h)" and insert **"(e)"**.

Renumber all SECTIONS consecutively.

(Reference is to HB 1656 as printed February 3, 2009.)

AUSTIN

HOUSE MOTION

Mr. Speaker: I move that House Bill 1656 be made a special

order of business for Monday, February 9, 2009 at 2:00 p.m.

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 46: yeas 46, nays 54. Motion failed.

The question was then on the motion of Representative Austin (1656-4). Motion prevailed. The bill was ordered engrossed.

House Bill 1606

Representative Harris called down House Bill 1606 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1606-1)

Mr. Speaker: I move that House Bill 1606 be amended to read as follows:

Page 2, line 7, delete "located within the same county as a school described in".

Page 2, line 8, delete "section 2(b) of this chapter".

Page 2, line 28, delete "located within the same county as a school described in".

Page 2, line 29, delete "section 2(b) of this chapter".

Page 2, line 41, delete "located within the same county as a school described in".

Page 2, line 42, delete "section 2(b) of this chapter".

(Reference is to HB 1606 as printed February 3, 2009.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1493

Representative Bischoff called down House Bill 1493 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1493-1)

Mr. Speaker: I move that House Bill 1493 be amended to read as follows:

Page 1, line 7, delete "Whenever a purchasing agent purchases flags, the" and insert **"A governmental body shall give a twenty-five percent (25%) price preference for the purchase of flags that are manufactured in the United States."**

Page 1, delete lines 8 through 13.

(Reference is to HB 1493 as printed February 3, 2009.)

BISCHOFF

Motion prevailed. The bill was ordered engrossed.

House Bill 1487

Representative Battles called down House Bill 1487 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

House Bill 1479

Representative Porter called down House Bill 1479 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1479-1)

Mr. Speaker: I move that House Bill 1479 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-26-5-32 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 32. (a) After June 30, 2009, a governing body may offer a teacher who is qualified in any

subject area in which the governing body has difficulty recruiting qualified candidates a salary that is higher than the salary set forth for a teacher with a similar level of experience in an agreement entered into under IC 20-29.

(b) After June 30, 2009, an agreement entered into or renewed under IC 20-29 may not contain a provision that violates subsection (a)."

Page 1, after line 17, begin a new paragraph and insert:
"SECTION 3. [EFFECTIVE JULY 1, 2009] (a) IC 20-26-5-32, as added by this act, does not apply to an agreement entered into under IC 20-29 that is in effect on July 1, 2009.

(b) This SECTION expires June 30, 2014."

Renumber all SECTIONS consecutively.

(Reference is to HB 1479 as printed February 3, 2009.)

M. SMITH

Motion failed.

HOUSE MOTION (Amendment 1479-2)

Mr. Speaker: I move that House Bill 1479 be amended to read as follows:

Page 1, after line 17, begin a new paragraph and insert:

"SECTION 2. IC 20-28-9-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 2.5. (a) This section applies to an individual who is a licensed teacher who has obtained a permit to teach in a content area designated as a shortage area by the state board.**

(b) An individual described in subsection (a) may be given:

(1) a teacher's minimum salary as:

(A) computed under IC 20-28-9; or

(B) determined by a local salary schedule of the school corporation;

(2) any additional salary determined by a local salary schedule of the school corporation; and

(3) additional compensation that is less than or equal to the compensation determined under STEP FOUR of the formula set forth in subsection (c).

(c) The formula for the additional compensation referred to in subsection (b)(3) is as follows:

STEP ONE: Determine the lesser of:

(A) the number of school years that the individual has taught; or

(B) ten (10) years.

STEP TWO: Determine the result of:

(A) ten (10) years; minus

(B) the STEP ONE result.

STEP THREE: Determine the result of:

(A) the STEP TWO result (rounded to the nearest one-hundredth (0.01); multiplied by

(B) one-hundredth (0.01).

STEP FOUR: Determine the result of:

(A) the STEP THREE result; multiplied by

(B) the master contract salary of the school corporation.

If the result determined in STEP TWO is equal to zero (0), the individual may not be given any additional compensation under subsection (b)(3).

(d) The following individuals are not eligible to receive additional compensation under subsection (b)(3):

(1) A holder of an emergency permit.

(2) A holder of a transition to teaching permit.

(e) Notwithstanding subsection (c), if a collective bargaining agreement allows for the payment of additional compensation to individuals described in subsection (a) and the additional compensation is greater than or equal to an amount determined under subsection (c), the amount of additional compensation that the collective bargaining agreement allows for is not subject to this section."

(Reference is to HB 1479 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 47: yeas 48, nays 52. Motion failed. The bill was ordered engrossed.

House Bill 1365

Representative VanHaaften called down House Bill 1365 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1365-1)

Mr. Speaker: I move that House Bill 1365 be amended to read as follows:

Page 3, line 27, delete "publicize" and insert "**publish notice of**".

Page 3, line 28, delete "through" and insert "**in accordance with IC 5-3-1.**

SECTION 2. IC 6-1.1-17-0.5, AS AMENDED BY P.L.144-2008, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1 2008 (RETROACTIVE)]: Sec. 0.5. (a) For purposes of this section, "assessed value" has the meaning set forth in IC 6-1.1-1-3(a).

(b) The county auditor may exclude and keep separate on the tax duplicate for taxes payable in a calendar year the assessed value of tangible property that meets the following conditions:

(1) The assessed value of the property is at least nine percent (9%) of the assessed value of all tangible property subject to taxation by a taxing unit.

(2) The property is or has been part of a bankruptcy estate that is subject to protection under the federal bankruptcy code.

(3) The owner of the property has discontinued all business operations on the property.

(4) There is a high probability that the taxpayer will not pay property taxes due on the property in the following year.

(c) This section does not limit, restrict, or reduce in any way the property tax liability on the property.

(d) For each taxing unit located in the county, the county auditor may reduce for a calendar year the taxing unit's assessed value that is certified to the department of local government finance under section 1 of this chapter and used to set tax rates for the taxing unit for taxes first due and payable in the immediately succeeding calendar year. The county auditor may reduce a taxing unit's assessed value under this subsection only to enable the taxing unit to absorb the effects of reduced property tax collections in the immediately succeeding calendar year that are expected to result from any or a combination of the following:

(1) Successful appeals of the assessed value of property located in the taxing unit.

(2) Deductions under IC 6-1.1-12-37 that ~~result from the granting of applications for the homestead credit for the calendar year under IC 6-1.1-20-9-3 or IC 6-1.1-20-9-3.5~~ **are granted** after the county auditor certifies assessed value as described in this section.

(3) Deductions that result from the granting of applications for deductions for the calendar year under IC 6-1.1-12-44 after the county auditor certifies assessed value as described in this section.

(4) **Reassessments of real property under IC 6-1.1-4-11.5.**

Not later than December 31 of each year, the county auditor shall send a certified statement, under the seal of the board of county commissioners, to the fiscal officer of each political subdivision of the county and to the department of local government finance. The certified statement must list any adjustments to the amount of the reduction under this subsection and the information

submitted under section 1 of this chapter that are necessary. ~~as the result of processing homestead credit applications and deduction applications that are filed after the county auditor certifies assessed value as described in this section:~~ The county auditor shall keep separately on the tax duplicate the amount of any reductions made under this subsection. The maximum amount of the reduction authorized under this subsection is determined under subsection (e).

(e) The amount of the reduction in a taxing unit's assessed value for a calendar year under subsection (d) may not exceed two percent (2%) of the assessed value of tangible property subject to assessment in the taxing unit in that calendar year.

(f) The amount of a reduction under subsection (d) may not be offered in a proceeding before the:

- (1) county property tax assessment board of appeals;
- (2) Indiana board; or
- (3) Indiana tax court;

as evidence that a particular parcel has been improperly assessed."

Page 3, delete lines 29 through 30.

Page 4, line 33, delete "publicize" and insert "**publish notice of**".

Page 4, line 34, delete "through" and insert "**in accordance with IC 5-3-1**".

Page 4, delete lines 35 through 36.

Renumber all SECTIONS consecutively.

(Reference is to HB 1365 as printed February 3, 2009.)

VAN HAAFTEN

Motion prevailed. The bill was ordered engrossed.

House Bill 1362

Representative Bischoff called down House Bill 1362 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1352

Representative Dvorak called down House Bill 1352 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1352-1)

Mr. Speaker: I move that House Bill 1352 be amended to read as follows:

Page 2, line 14, delete "The" and insert "**Subject to subsections (c), (d), and (e), the**".

Page 2, line 18, delete "The" and insert "**Subject to subsections (c), (d), and (e), the**".

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"(c) Subsections (a) and (b) do not apply if, before signing the climate registry's statement of principles and goals under subsection (b)(1), the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(d) The governor shall withdraw the state from the climate registry if the governor receives from the majority of the economic development commissions in the state established under IC 36-7-12 a petition opposing membership of the state in the climate registry.

(e) The governor may withdraw the state from the climate registry if the governor determines that membership of the state in the climate registry causes either or both of the following:

- (1) A loss of jobs in the state.**
- (2) Missed opportunities for jobs in the state."**

(Reference is to HB 1352 as printed February 3, 2009.)

T. BROWN

Motion prevailed. The bill was ordered engrossed.

House Bill 1346

Representative Pearson called down House Bill 1346 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1217

Representative Pearson called down House Bill 1217 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1187

Representative Porter called down House Bill 1187 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1187-1)

Mr. Speaker: I move that House Bill 1187 be amended to read as follows:

Page 1, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 2. IC 20-28-5-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 16. (a) This section applies to an individual who is:

- (1) licensed under this chapter; and**
- (2) employed by a governing body that chooses to establish a testing program under this section.**

(b) Not more than one (1) time during each five (5) year period, an individual may request to be tested by a written examination to demonstrate the individual's increasing level of:

- (1) proficiency in the subject areas in which the individual teaches; and**
- (2) cultural competency under IC 20-31-6-3.**

(c) An individual who successfully demonstrates the individual's proficiency and competency under subsection (b) is entitled to receive one thousand dollars (\$1,000) each year for the five (5) years following the individual's demonstration of proficiency and competency, paid to the individual by the governing body.

(d) The advisory board shall recommend to the state board for adoption suitable examinations that test varying levels of teacher proficiency and cultural competency."

Renumber all SECTIONS consecutively.

(Reference is to HB 1187 as printed February 3, 2009.)

CLERE

Upon request of Representatives Clere and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 48: yeas 48, nays 48. Motion failed.

HOUSE MOTION (Amendment 1187-5)

Mr. Speaker: I move that House Bill 1187 be amended to read as follows:

Page 1, line 13, delete "or religious".

Page 2, line 17, delete "or religious".

Page 2, line 34, after "countries," insert "**or**".

Page 2, line 35, delete "groups, or religions." and insert "**groups**".

(Reference is to HB 1187 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 49: yeas 77, nays 15. Motion prevailed.

HOUSE MOTION (Amendment 1187-7)

Mr. Speaker: I move that House Bill 1187 be amended to read as follows:

Page 2, between lines 35 and 36, begin a new paragraph and

insert:

"SECTION 5. IC 20-31-6-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.5. This chapter does not apply to a nonpublic school.**

SECTION 6. IC 20-31-6-1, AS ADDED BY P.L.246-2005, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. The department shall develop and make available to school corporations ~~and nonpublic schools~~ materials that assist teachers, administrators, and staff in a school in developing cultural competency for use in providing professional and staff development programs."

Renumber all SECTIONS consecutively.

(Reference is to HB 1187 as printed February 3, 2009.)

THOMPSON

Upon request of Representatives Thompson and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 50: yeas 52, nays 42. Motion prevailed.

HOUSE MOTION

(Amendment 1187-4)

Mr. Speaker: I move that House Bill 1187 be amended to read as follows:

Page 3, line 23, delete "staff, students, and" and insert "**staff, and students.**".

Page 3, delete line 24.

(Reference is to HB 1187 as printed February 3, 2009.)

THOMPSON

Representative Porter withdrew the call of House Bill 1187.

House Bill 1125

Representative Cherry called down House Bill 1125 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1125-2)

Mr. Speaker: I move that House Bill 1125 be amended to read as follows:

Page 6, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 5-10-8-2.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 2.8. (a) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.**

(b) Notwithstanding any other law, a member of the governing body of a school corporation who is covered under a group health insurance program provided by the school corporation shall pay one hundred percent (100%) of the cost of the coverage.

(c) If, on July 1, 2009, a member of the governing body of a school corporation is covered under a group health insurance program provided by the school corporation, subsection (b) applies to the member only after the date on which the group health insurance program is renewed, amended, or reissued."

Page 7, line 32, delete "five (5)" and insert "**three (3)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1125 as printed February 3, 2009.)

LEHMAN

Upon request of Representatives Lehman and Bosma, the Speaker ordered the roll of the House to be called. Roll Call 51: yeas 50, nays 46. Motion prevailed. The bill was ordered engrossed.

House Bill 1107

Representative Tinch called down House Bill 1107 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1090

Representative Fry called down House Bill 1090 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1090-1)

Mr. Speaker: I move that House Bill 1090 be amended to read as follows:

Page 1, delete lines 1 through 14, begin a new paragraph and insert:

"SECTION 1. IC 27-7-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 14. Primary Motor Vehicle Insurance Coverage

Sec. 1. This chapter applies only to policies affording motor vehicle insurance coverage that are issued or renewed after August 31, 1983.

Sec. 2. (a) The definitions set forth in this section apply throughout this chapter.

(b) "Garage liability policy" refers to any motor vehicle liability insurance policy that affords coverage to a named insured engaged in the business of selling, leasing, repairing, servicing, delivering, testing, road testing, parking, or storing motor vehicles, but does not refer to a motor vehicle liability insurance policy that affords coverage to a vehicle used in the business of transporting property for hire.

(c) "Motor vehicle insurance coverage" means any type of insurance coverage described in IC 27-1-5-1, Class 2(f).

(d) "Permittee" means any person who is granted permission to operate a motor vehicle by the owner of the motor vehicle.

Sec. 3. (a) This section does not apply to cases covered by section 6 or 7 of this chapter.

(b) In any case arising from a permittee's use of a motor vehicle for which the owner of the vehicle has motor vehicle insurance coverage, the owner's motor vehicle insurance coverage is considered primary if both of the following apply:

(1) The vehicle, at the time damage occurred, was operated with the permission of the owner of the motor vehicle.

(2) The use was within the scope of the permission granted.

(c) The permittee may not recover under any other motor vehicle insurance coverage available to the permittee until the limit of all coverage available to the permittee under the owner's policy is first exhausted."

Page 2, delete lines 7 through 9, begin a new paragraph and insert:

"Sec. 4. (a) When a claim arises from the operation of a motor vehicle leased under a written lease agreement, if under the agreement the lessee agrees to provide coverage for damage resulting from his operation of the vehicle, then the motor vehicle insurance coverage of the lessee is primary. No claim may be made against any coverage available for the vehicle by the lessor until the limits of the motor vehicle insurance coverage provided by the lessee for the vehicle are exhausted.

(b) When a claim arises from the operation of a motor vehicle that is used in the business of transporting property for hire and leased under a written lease agreement, if under the agreement the lessor and lessee agree as to which coverage of the parties' motor vehicle insurance is primary coverage, then the policy of insurance providing that coverage is primary and no claim may be made against any other coverage for the vehicle until the limits of that policy are exhausted.

Sec. 5. (a) As used in this section, "rental agreement" means a written contract:

(1) that authorizes a renter to use a motor vehicle made

- available by a rental company;
- (2) under which a charge for use of the motor vehicle is made at a periodic rate; and
- (3) under which title to the motor vehicle is not transferred to the renter.

(b) When:

- (1) a claim arises from the operation of a motor vehicle that is rented under a rental agreement; and
- (2) under the rental agreement, the renter agrees to provide insurance coverage for damage resulting from the renter's operation of the motor vehicle;

the insurance coverage provided by the renter is primary.

(c) A claim described in subsection (b) may not be made by the rental company against any insurance coverage available for the motor vehicle until the limits of the insurance coverage provided by the renter are exhausted.

(d) When:

- (1) a claim arises from the operation of a motor vehicle that is:

- (A) used in the business of transporting property for hire; and

- (B) rented under a rental agreement; and

- (2) under the rental agreement, the rental company and renter agree as to which of the parties' insurance coverage is primary for damage resulting from the renter's operation of the motor vehicle;

the agreed upon primary insurance coverage is primary.

(e) A claim described in subsection (d) may not be made against any insurance coverage available for the motor vehicle until the limits of the agreed upon primary insurance coverage are exhausted.

Sec. 6. (a) This section applies if the only motor vehicle insurance coverage provided by the owner of the motor vehicle is under a garage liability policy.

(b) Notwithstanding section 3 of this chapter, any coverage available to the permittee is primary.

(c) Recovery may not be made under the garage liability policy until the limits of all coverage available to the permittee have been exhausted.

Sec. 7. (a) This section applies to a motor vehicle while under the control of either of the following:

- (1) A bailee.

- (2) An agent or employee of a bailee.

(b) As used in this section, "bailee" refers only to a person who is in the business of storing, parking, servicing, or repairing vehicles.

(c) Notwithstanding section 3 of this chapter, any coverage available to the bailee is primary.

(d) Recovery may not be made under the vehicle owner's policy until the limits of all motor vehicle insurance coverage available to the bailee have been exhausted.

SECTION 2. IC 27-8-9 IS REPEALED [EFFECTIVE JULY 1, 2009]

SECTION 3. [EFFECTIVE JULY 1, 2009] (a) IC 27-7-14-3(c), (d), and (e), as added by this act, apply to a case arising after June 30, 2009.

(b) Notwithstanding the repeal of IC 27-8-9-7 by this act, IC 27-8-9-7, before its repeal by this act, applies to a case arising before July 1, 2009.

(c) IC 27-7-14-5, as added by this act, applies to a claim arising after June 30, 2009.

- (d) This SECTION expires July 1, 2014."

(Reference is to HB 1090 as printed February 3, 2009.)

TORR

Motion prevailed. The bill was ordered engrossed.

House Bill 1089

Representative Duncan called down House Bill 1089 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1080

Representative Day called down House Bill 1080 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1080-1)

Mr. Speaker: I move that House Bill 1080 be amended to read as follows:

Page 3, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 2. IC 6-2.5-4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person is a retail merchant making a retail transaction when ~~he~~ **the person** sells tangible personal property at auction.

(b) Notwithstanding subsection (a), a person is not a retail merchant making a retail transaction when **selling tangible personal property at auction if the owner of the tangible personal property:**

- (1) ~~he~~ makes **only** isolated or occasional sales of tangible personal property at auction; and

- (2) ~~the sales occur on the premises of the owner of the tangible personal property; and~~

- (3) ~~(2) the owner of the tangible personal property~~ did not originally acquire that property for resale."

Renumber all SECTIONS consecutively.

(Reference is to HB 1080 as printed February 3, 2009.)

LEHE

Motion prevailed. The bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1078, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 16, delete "estate" and insert "**property**".

Page 1, line 17, delete "estate" and insert "**property**".

Page 2, line 2, delete "estate" and insert "**property**".

Page 2, line 15, delete "estate" and insert "**property**".

Page 2, line 16, delete "estate" and insert "**property**".

Page 2, line 20, delete "estate" and insert "**property**".

(Reference is to HB 1078 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 2.

BISCHOFF, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1099, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-40.5, AS ADDED BY P.L.109-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 40.5. (a) **Except as provided in subsection (b) or (c),** "proof of identification" refers to a document that satisfies all the following:

- (1) The document shows the name of the individual to whom the document was issued, and the name conforms to the name in the individual's voter registration record.

- (2) The document shows a photograph of the individual to whom the document was issued.

(3) The document includes an expiration date, and the document:

- (A) is not expired; or
- (B) expired after the date of the most recent general election.

(4) The document was issued by the United States or the state of Indiana.

(b) Notwithstanding subsection (a)(3), a document issued by the United States Department of Defense, a branch of the uniformed services, the Merchant Marine, or the Indiana National Guard that:

(1) otherwise complies with the requirements of subsection (a); and

(2) has no expiration date or states that the document has an indefinite expiration date;

is sufficient proof of identification for purposes of this title.

(c) Notwithstanding subsection (a)(3), a document issued by an approved postsecondary educational institution (as defined in IC 21-7-13-6(a)) that:

(1) otherwise complies with the requirements of subsection (a); and

(2) has no expiration date or states that the document has an indefinite expiration date;

is sufficient proof of identification for purposes of this title."

Page 2, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 2. IC 3-11-4-3, AS AMENDED BY P.L.103-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. Except as provided in section 6 of this chapter, an application for an absentee ballot must be received by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of the board of elections and registration) not earlier than ninety (90) days before election day nor later than the following:

(1) Noon on election day if the voter registers to vote under IC 3-7-36-14.

(2) Noon on the day before election day if the voter completes the application in the office of the circuit court clerk or is an absent uniformed services voter or overseas voter who requests that the ballot be transmitted by fax under section 6(h) of this chapter.

(3) Noon on the day before election day if:

(A) the application is a mailed, transmitted by fax, or hand delivered application from a confined voter or voter caring for a confined person; and

(B) the applicant requests that the absentee ballots be delivered to the applicant by an absentee voter board.

(4) Midnight on the eighth day before election day if the application:

(A) is a mailed application; or

(B) was transmitted by fax;

from other voters.

(5) The end of the time permitted by IC 3-11-10-26(k) or IC 3-11-10-26.3(g)."

Page 2, line 15, after "IC 3-6-5.2" insert "**or IC 3-6-5.4**".

Page 3, delete line 42, begin a new paragraph and insert:

"(k) Notwithstanding subsection (c) or (d), when the time arrives that has been designated as the time at which voting under this section ends, the absentee voter board shall do the following:

(1) Permit all voters who:

(A) are in the act of voting; or

(B) have begun the procedure for casting an absentee ballot under this section but who have not voted;

to vote.

(2) Require all voters who are waiting to vote but have not begun the procedure for casting an absentee ballot under this section to line up in single file. One (1) member of the board shall do the following:

(A) Determine who the last voter is in the line. The

board member may not determine that a voter is not in line only because the voter is located outside the building in which voting is occurring.

(B) Stand directly behind the voter determined under clause (A).

Another member of the board shall, beginning with the voter determined under clause (A), record the names of the voters in the line. These voters may vote under this section unless otherwise prevented according to law."

Page 4, delete lines 1 through 10.

Page 4, delete lines 30 through 41, begin a new paragraph and insert:

"(g) Notwithstanding a resolution adopted under this section, when the time arrives that has been designated as the time at which voting under this section ends, the absentee voter board shall do the following:

(1) Permit all voters who:

(A) are in the act of voting; or

(B) have begun the procedure for casting an absentee ballot under this section but who have not voted; to vote.

(2) Require all voters who are waiting to vote but have not begun the procedure for casting an absentee ballot under this section to line up in single file. One (1) member of the board shall do the following:

(A) Determine who the last voter is in the line. The board member may not determine that a voter is not in line only because the voter is located outside the building in which voting is occurring.

(B) Stand directly behind the voter determined under clause (A).

Another member of the board shall, beginning with the voter determined under clause (A), record the names of the voters in the line. These voters may vote under this section unless otherwise prevented according to law."

Renumber all SECTIONS consecutively.

(Reference is to HB 1099 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 3.

BATTLES, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1235, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "1:30 p.m." and insert "**1 p.m.**".

Page 3, line 33, delete "9 p.m." and insert "**8 p.m.**".

(Reference is to HB 1235 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 3.

BATTLES, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1243, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-2-11-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses

related to the office of county recorder.

(b) An individual elected to the office of county recorder after June 30, 2009, shall complete at least:

(1) fifteen (15) hours of training courses within one (1) year; and

(2) forty (40) hours of training courses within three (3) years;

after beginning the county recorder's term."

Page 1, line 10, delete "one (1) year" and insert "two (2) years".

Renumber all SECTIONS consecutively.

(Reference is to HB 1243 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Small Business and Economic Development, to which was referred House Bill 1397, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 8, after "equipment," insert "a".

Page 3, line 9, before "new motor" insert "a".

Page 3, line 9, delete "or" and insert "a".

Page 3, line 9, after "tractor" insert ", a new recreational vehicle, or a new truck camper".

Page 3, between lines 21 and 22, begin a new paragraph and insert:

"Sec. 11.5. As used in this chapter, "recreational vehicle" has the meaning set forth in IC 9-13-2-150(a)."

Page 3, delete lines 24 through 31, begin a new paragraph and insert:

"Sec. 13. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax) as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter."

Page 3, between lines 33 and 34, begin a new paragraph and insert:

"Sec. 14.5. As used in this chapter, "truck camper" has the meaning set forth in IC 6-6-5.1-8."

Page 4, line 34, delete "or".

Page 4, line 34, after "new tractor" insert ", a new recreational vehicle, or a new truck camper".

Page 4, line 36, delete "or tractor" and insert "tractor, recreational vehicle, or truck camper".

Page 4, line 39, delete "or".

Page 4, line 39, after "a tractor" insert ", a recreational vehicle, or a truck camper".

Page 4, line 42, delete "or".

Page 4, line 42, after "tractor" insert ", recreational vehicle, or truck camper".

Page 5, line 2, delete "or".

Page 5, line 2, after "tractor" insert ", recreational vehicle, or truck camper".

Page 5, line 4, delete "or tractor" and insert "tractor, recreational vehicle, or truck camper".

Page 5, line 7, delete "or".

Page 5, line 8, after "tractor" insert ", recreational vehicle, or truck camper".

Page 5, line 11, delete "or".

Page 5, line 11, after "a tractor" insert ", a recreational vehicle, or a truck camper".

(Reference is to HB 1397 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

SULLIVAN, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1471, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 17, delete "A" and insert "Except as provided in subsection (j), a".

Page 2, line 27, delete "January 1, 2010," and insert "March 1, 2011,".

Page 2, line 28, delete "January" and insert "March".

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"(j) For assessment dates after 2008, subject to subsection (k), the county assessor and the county executive may jointly:

(1) determine to conduct cyclical reassessments under this subsection instead of general reassessments under subsection (b); and

(2) designate successive periods:

(A) of equal length;

(B) each of not more than four (4) years; and

(C) to continue until the county assessor and the county executive jointly determine:

(i) to designate periods of different duration under this subdivision; or

(ii) to apply general reassessments of real property in the county under subsection (b);

in which an equal percentage of all parcels of real property in the county is assessed each year under the cyclical reassessment program so that a new assessment is determined for each parcel in the county in each designated period.

(k) The following apply to cyclical reassessments under subsection (j):

(1) The cyclical reassessments involve a physical inspection of the real property in the manner that physical inspections apply to a general reassessment under subsection (b).

(2) The cyclical reassessment for an assessment date is determined using the rules of the department of local government finance for the appraisal of real property in a general reassessment that apply for that assessment date, subject to the adjustments under subsection (e).

(3) The county assessor shall determine which parcels are subject to reassessment in each year under the framework of subsection (j)(2)."

Page 4, between lines 19 and 20, begin a new paragraph and insert:

"(c) For assessment dates after January 15, 2009, an adjustment in the assessed value of real property under this section must be based on the estimated true tax value of the property on the assessment date that is the basis for taxes payable on that real property.

SECTION 4. IC 6-1.1-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) In assessing or reassessing land, the land shall be assessed as agricultural land only when it is devoted to used for agricultural purposes (as defined by the general assembly or recognized by the United States Department of Agriculture).

(b) The department of local government finance shall give written notice to each county assessor of:

(1) the availability of the United States Department of Agriculture's soil survey data; and

(2) the appropriate soil productivity factor for each type or classification of soil shown on the United States Department of Agriculture's soil survey map.

All assessing officials and the property tax assessment board of appeals shall use the data in determining the true tax value of agricultural land.

(c) The department of local government finance shall by rule provide for the method for determining the true tax value of each parcel of agricultural land.

(d) This section does not apply to land purchased for industrial, commercial, or residential uses.

SECTION 5. IC 6-1.1-4-13.6, AS AMENDED BY P.L.146-2008, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 13.6. (a) The township assessor, or the county assessor if there is no township assessor for the township, shall determine the values of all classes of commercial, industrial, and residential land (including farm homesites) in the township or county using guidelines determined by the department of local government finance. Not later than November 1 of the year preceding the year in which:

(1) a general reassessment becomes effective; or

(2) a general reassessment would have become effective if the county had not determined to conduct cyclical reassessments under section 4(j) of this chapter;

the assessor determining the values of land shall submit the values to the county property tax assessment board of appeals.

~~(b) Not before April 1 and not later than December 1 of the year preceding the year in which a general reassessment becomes effective; in which land values are submitted to the county property tax assessment board of appeals under subsection (a), the county property tax assessment board of appeals shall hold a public hearing in the county concerning those values. The property tax assessment board of appeals shall give notice of the hearing in accordance with IC 5-3-1. and shall hold the hearing after March 31 and before December 1 of the year preceding the year in which the general reassessment under section 4 of this chapter becomes effective.~~

~~(b) (c)~~ (c) The county property tax assessment board of appeals shall review the values submitted under subsection (a) and may make any modifications it considers necessary to provide uniformity and equality. The county property tax assessment board of appeals shall coordinate the valuation of property adjacent to the boundaries of the county with the county property tax assessment boards of appeals of the adjacent counties using the procedures adopted by rule under IC 4-22-2 by the department of local government finance. If the county assessor fails to submit land values under subsection (a) to the county property tax assessment board of appeals before ~~November 1 of the year before the date the general reassessment under section 4 of this chapter becomes effective; the deadline under subsection (a),~~ the county property tax assessment board of appeals shall determine the values. If the county property tax assessment board of appeals fails to determine the values before:

(1) the general reassessment becomes effective; or

(2) a general reassessment would have become effective if the county had not determined to conduct cyclical reassessments under section 4(j) of this chapter;

the department of local government finance shall determine the values.

~~(c) (d)~~ (d) The county assessor shall notify all township assessors in the county (if any) of the values as modified by the county property tax assessment board of appeals. Assessing officials shall use the values determined under this section."

Page 4, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 7. IC 6-1.1-4-27.5, AS AMENDED BY P.L.146-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009

(RETROACTIVE)]: Sec. 27.5. (a) The auditor of each county shall establish a property reassessment fund. The county treasurer shall deposit all collections resulting from the property taxes that the county levies for the county's property reassessment fund.

(b) With respect to the general reassessment of real property that is to commence on July 1, 2009, the county council of each county shall, for property taxes due in 2006, 2007, 2008, and 2009, levy in each year against all the taxable property in the county an amount equal to one-fourth (1/4) of the remainder of:

(1) the estimated costs referred to in section 28.5(a) of this chapter; minus

(2) the amount levied under this section by the county council for property taxes due in 2004 and 2005.

(c) With respect to a general reassessment of real property that is to commence on July 1, 2014, and each fifth year thereafter, the county council of each county shall, for property taxes due in the year that the general reassessment:

(1) is to commence in a county in which general reassessments apply under section 4(b) of this chapter; or

(2) would commence if the county had not determined to conduct cyclical reassessments under section 4(j) of this chapter;

and the four (4) years preceding that year, levy against all the taxable property in the county an amount equal to one-fifth (1/5) of the estimated costs ~~under section 28.5 of this chapter of the general reassessment under section 28.5 of this chapter; or of cyclical reassessments.~~

(d) The department of local government finance shall give to each county council notice, before January 1 in a year, of the tax levies required by this section for that year.

(e) The department of local government finance may raise or lower the property tax levy under this section for a year if the department determines it is appropriate because the estimated cost of:

(1) a general reassessment ~~or under section 4(b) of this chapter;~~

(2) making annual adjustments under section 4.5 of this chapter; or

(3) doing cyclical reassessments under section 4(j) of this chapter;

has changed.

(f) The county assessor may petition the county fiscal body to increase the levy under subsection (b) or (c) to pay for the costs of:

(1) a general reassessment;

(2) verification under 50 IAC 21-3-2 of sales disclosure forms forwarded to the county assessor under IC 6-1.1-5.5-3; or

(3) processing annual adjustments under section 4.5 of this chapter; or

(4) doing cyclical reassessments under section 4(j) of this chapter.

The assessor must document the needs and reasons for the increased funding.

(g) If the county fiscal body denies a petition under subsection (f), the county assessor may appeal to the department of local government finance. The department of local government finance shall:

(1) hear the appeal; and

(2) determine whether the additional levy is necessary.

SECTION 8. IC 6-1.1-4-28.5, AS AMENDED BY P.L.146-2008, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 28.5. (a) Money assigned to a property reassessment fund under section 27.5 of this chapter may be used only to pay the costs of:

(1) the general reassessment of real property **under section 4(b) of this chapter or the cyclical reassessment of real**

property under section 4(j) of this chapter, including the computerization of assessment records;

(2) payments to assessing officials and hearing officers for county property tax assessment boards of appeals under IC 6-1.1-35.2;

(3) the development or updating of detailed soil survey data by the United States Department of Agriculture or its successor agency;

(4) the updating of plat books;

(5) payments for the salary of permanent staff or for the contractual services of temporary staff who are necessary to assist assessing officials;

(6) making annual adjustments under section 4.5 of this chapter; and

(7) the verification under 50 IAC 21-3-2 of sales disclosure forms forwarded to:

(A) the county assessor; or

(B) township assessors (if any);

under IC 6-1.1-5.5-3.

Money in a property tax reassessment fund may not be transferred or reassigned to any other fund and may not be used for any purposes other than those set forth in this section.

(b) All counties shall use modern, detailed soil maps in the general reassessment of agricultural land.

(c) The county treasurer of each county shall, in accordance with IC 5-13-9, invest any money accumulated in the property reassessment fund. Any interest received from investment of the money shall be paid into the property reassessment fund.

(d) An appropriation under this section must be approved by the fiscal body of the county after the review and recommendation of the county assessor. However, in a county with a township assessor in every township, the county assessor does not review an appropriation under this section, and only the fiscal body must approve an appropriation under this section.

SECTION 9. IC 6-1.1-4-29, AS AMENDED BY P.L.146-2008, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 29. (a) The expenses of a **general reassessment under section 4(b) of this chapter or of a cyclical reassessment of real property under section 4(j) of this chapter**, except those incurred by the department of local government finance in performing its normal functions, shall be paid by the county in which the ~~reassessed~~ property is situated. ~~These expenses, except for the expenses of a general reassessment, shall be paid from county funds.~~ The county auditor shall issue warrants for the payment of **general reassessment or cyclical reassessment** expenses. No prior appropriations are required in order for the auditor to issue warrants.

(b) An order of the department of local government finance directing the reassessment of property shall contain an estimate of the cost of making the reassessment. The assessing officials in the county, the county property tax assessment board of appeals, and the county auditor may not exceed the amount so estimated by the department of local government finance."

Page 5, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 12. IC 6-1.1-8.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 6. Before

~~(1) January 1, 2004; and~~

~~(2) January 1 of each year, that a general reassessment commences under IC 6-1.1-4-4;~~

the county assessor of each qualifying county shall provide the department of local government finance a list of each industrial facility located in the qualifying county **that is subject to assessment in that year under:**

(1) a general reassessment of real property under IC 6-1.1-4-4(b); or

(2) a cyclical reassessment of real property under IC 6-1.1-4-4(j).

SECTION 13. IC 6-1.1-8.7-3, AS AMENDED BY P.L.219-2007, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 3. (a) Before January 1, 2003, two hundred fifty (250) or more owners of real property in a township may petition the department to assess the real property of an industrial facility in the township for the 2004 assessment date.

(b) Before January 1 of each year ~~that a general reassessment commences under IC 6-1.1-4-4;~~ **after 2009**, two hundred fifty (250) or more owners of real property in a township may petition the department to assess the real property of an industrial facility in the township for that general reassessment.

(c) An industrial company may at any time petition the department to assess the real property of an industrial facility owned or used by the company.

(d) Before January 1 of any year, the county assessor of the county in which an industrial facility is located may petition the department to assess the real property of the industrial facility for the assessment date in that year.

SECTION 14. IC 6-1.1-12.1-4, AS AMENDED BY P.L.219-2007, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 4. (a) Except as provided in section 2(i)(4) of this chapter, and subject to section 15 of this chapter, the amount of the deduction which the property owner is entitled to receive under section 3 of this chapter for a particular year equals the product of:

(1) the increase in the assessed value resulting from the rehabilitation or redevelopment; multiplied by

(2) the percentage prescribed in the table set forth in subsection (d).

(b) The amount of the deduction determined under subsection (a) shall be adjusted in accordance with this subsection in the following circumstances:

(1) If a general reassessment **or cyclical reassessment** of real property occurs within the particular period of the deduction, the amount determined under subsection (a)(1) shall be adjusted to reflect the percentage increase or decrease in assessed valuation that resulted from the general reassessment **or cyclical reassessment**.

(2) If an appeal of an assessment is approved that results in a reduction of the assessed value of the redeveloped or rehabilitated property, the amount of any deduction shall be adjusted to reflect the percentage decrease that resulted from the appeal.

The department of local government finance shall adopt rules under IC 4-22-2 to implement this subsection.

(c) Property owners who had an area designated an urban development area pursuant to an application filed prior to January 1, 1979, are only entitled to the deduction for the first through the fifth years as provided in subsection (d)(10). In addition, property owners who are entitled to a deduction under this chapter pursuant to an application filed after December 31, 1978, and before January 1, 1986, are entitled to a deduction for the first through the tenth years, as provided in subsection (d)(10).

(d) The percentage to be used in calculating the deduction under subsection (a) is as follows:

(1) For deductions allowed over a one (1) year period:

YEAR OF DEDUCTION	PERCENTAGE
1st	100%

(2) For deductions allowed over a two (2) year period:

YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	50%

(3) For deductions allowed over a three (3) year period:

YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	66%
3rd	33%
(4) For deductions allowed over a four (4) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	75%
3rd	50%
4th	25%
(5) For deductions allowed over a five (5) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	80%
3rd	60%
4th	40%
5th	20%
(6) For deductions allowed over a six (6) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	85%
3rd	66%
4th	50%
5th	34%
6th	17%
(7) For deductions allowed over a seven (7) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	85%
3rd	71%
4th	57%
5th	43%
6th	29%
7th	14%
(8) For deductions allowed over an eight (8) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	88%
3rd	75%
4th	63%
5th	50%
6th	38%
7th	25%
8th	13%
(9) For deductions allowed over a nine (9) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	88%
3rd	77%
4th	66%
5th	55%
6th	44%
7th	33%
8th	22%
9th	11%
(10) For deductions allowed over a ten (10) year period:	
YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	95%
3rd	80%
4th	65%
5th	50%
6th	40%
7th	30%
8th	20%
9th	10%
10th	5%

SECTION 15. IC 6-1.1-12.1-4.8, AS AMENDED BY P.L.219-2007, SECTION 32, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 4.8. (a) A property owner that is an applicant for a deduction under this section must provide a statement of benefits to the designating body.

(b) If the designating body requires information from the property owner for the designating body's use in deciding whether to designate an economic revitalization area, the property owner must provide the completed statement of benefits form to the designating body before the hearing required by section 2.5(c) of this chapter. Otherwise, the property owner must submit the completed statement of benefits form to the designating body before the occupation of the eligible vacant building for which the property owner desires to claim a deduction.

(c) The department of local government finance shall prescribe a form for the statement of benefits. The statement of benefits must include the following information:

(1) A description of the eligible vacant building that the property owner or a tenant of the property owner will occupy.

(2) An estimate of the number of individuals who will be employed or whose employment will be retained by the property owner or the tenant as a result of the occupation of the eligible vacant building, and an estimate of the annual salaries of those individuals.

(3) Information regarding efforts by the owner or a previous owner to sell, lease, or rent the eligible vacant building during the period the eligible vacant building was unoccupied.

(4) Information regarding the amount for which the eligible vacant building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

(d) With the approval of the designating body, the statement of benefits may be incorporated in a designation application. A statement of benefits is a public record that may be inspected and copied under IC 5-14-3.

(e) The designating body must review the statement of benefits required by subsection (a). The designating body shall determine whether an area should be designated an economic revitalization area or whether a deduction should be allowed, after the designating body has made the following findings:

(1) Whether the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed occupation of the eligible vacant building.

(2) Whether the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed occupation of the eligible vacant building.

(3) Whether any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed occupation of the eligible vacant building.

(4) Whether the occupation of the eligible vacant building will increase the tax base and assist in the rehabilitation of the economic revitalization area.

(5) Whether the totality of benefits is sufficient to justify the deduction.

A designating body may not designate an area an economic revitalization area or approve a deduction under this section unless the findings required by this subsection are made in the affirmative.

(f) Except as otherwise provided in this section, the owner of an eligible vacant building located in an economic revitalization area is entitled to a deduction from the assessed value of the building if the property owner or a tenant of the property owner occupies the eligible vacant building and uses it for commercial or industrial purposes. The property owner is entitled to the

deduction:

- (1) for the first year in which the property owner or a tenant of the property owner occupies the eligible vacant building and uses it for commercial or industrial purposes; and
- (2) for subsequent years determined under subsection (g).

(g) The designating body shall determine the number of years for which a property owner is entitled to a deduction under this section. However, subject to section 15 of this chapter, the deduction may not be allowed for more than two (2) years. This determination shall be made:

- (1) as part of the resolution adopted under section 2.5 of this chapter; or
- (2) by a resolution adopted not more than sixty (60) days after the designating body receives a copy of the property owner's deduction application from the county auditor.

A certified copy of a resolution under subdivision (2) shall be sent to the county auditor, who shall make the deduction as provided in section 5.3 of this chapter. A determination concerning the number of years the deduction is allowed that is made under subdivision (1) is final and may not be changed by using the procedure under subdivision (2).

(h) Except as provided in section 2(i)(5) of this chapter and subsection (k), and subject to section 15 of this chapter, the amount of the deduction the property owner is entitled to receive under this section for a particular year equals the product of:

- (1) the assessed value of the building or part of the building that is occupied by the property owner or a tenant of the property owner; multiplied by
- (2) the percentage set forth in the table in subsection (i).

(i) The percentage to be used in calculating the deduction under subsection (h) is as follows:

- (1) For deductions allowed over a one (1) year period:

YEAR OF DEDUCTION	PERCENTAGE
1st	100%

- (2) For deductions allowed over a two (2) year period:

YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	50%

(j) The amount of the deduction determined under subsection (h) shall be adjusted in accordance with this subsection in the following circumstances:

- (1) If a general reassessment **or cyclical reassessment** of real property occurs within the period of the deduction, the amount of the assessed value determined under subsection (h)(1) shall be adjusted to reflect the percentage increase or decrease in assessed valuation that resulted from the general reassessment **or cyclical reassessment**.
- (2) If an appeal of an assessment is approved and results in a reduction of the assessed value of the property, the amount of a deduction under this section shall be adjusted to reflect the percentage decrease that resulted from the appeal.

(k) The maximum amount of a deduction under this section may not exceed the lesser of:

- (1) the annual amount for which the eligible vacant building was offered for lease or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied; or
- (2) an amount, as determined by the designating body in its discretion, that is equal to the annual amount for which similar buildings in the county or contiguous counties were leased or rented or offered for lease or rent during the period the eligible vacant building was unoccupied.

(l) The department of local government finance may adopt rules under IC 4-22-2 to implement this section.

SECTION 16. IC 6-1.1-12.4-2, AS AMENDED BY P.L.146-2008, SECTION 130, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 2. (a) For purposes of this section, an

increase in the assessed value of real property is determined in the same manner that an increase in the assessed value of real property is determined for purposes of IC 6-1.1-12.1.

(b) This subsection applies only to a development, redevelopment, or rehabilitation that is first assessed after March 1, 2005, and before March 2, 2007. Except as provided in subsection (h) and sections 4, 5, and 8 of this chapter, an owner of real property that:

- (1) develops, redevelops, or rehabilitates the real property; and
- (2) creates or retains employment from the development, redevelopment, or rehabilitation;

is entitled to a deduction from the assessed value of the real property.

(c) Subject to section 14 of this chapter, the deduction under this section is first available in the year in which the increase in assessed value resulting from the development, redevelopment, or rehabilitation occurs and continues for the following two (2) years. The amount of the deduction that a property owner may receive with respect to real property located in a county for a particular year equals the lesser of:

- (1) two million dollars (\$2,000,000); or
- (2) the product of:

(A) the increase in assessed value resulting from the development, rehabilitation, or redevelopment; multiplied by

(B) the percentage from the following table:

YEAR OF DEDUCTION	PERCENTAGE
1st	75%
2nd	50%
3rd	25%

(d) A property owner that qualifies for the deduction under this section must file a notice to claim the deduction in the manner prescribed by the department of local government finance under rules adopted by the department of local government finance under IC 4-22-2 to implement this chapter. The township assessor, or the county assessor if there is no township assessor for the township, shall:

- (1) inform the county auditor of the real property eligible for the deduction as contained in the notice filed by the taxpayer under this subsection; and
- (2) inform the county auditor of the deduction amount.

(e) The county auditor shall:

- (1) make the deductions; and
- (2) notify the county property tax assessment board of appeals of all deductions approved;

under this section.

(f) The amount of the deduction determined under subsection (c)(2) is adjusted to reflect the percentage increase or decrease in assessed valuation that results from:

- (1) a general reassessment of real property under ~~IC 6-1.1-4-4~~; **or IC 6-1.1-4-4(b);**
- (2) an annual adjustment under IC 6-1.1-4-4.5; **or**
- (3) **a cyclical reassessment of real property under IC 6-1.1-4-4(j).**

(g) If an appeal of an assessment is approved that results in a reduction of the assessed value of the real property, the amount of the deduction under this section is adjusted to reflect the percentage decrease that results from the appeal.

(h) The deduction under this section does not apply to a facility listed in IC 6-1.1-12.1-3(e).

SECTION 17. IC 6-1.1-13-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 6. A county assessor shall inquire into the assessment of the classes of tangible property in the various townships of the county after March 1 ~~in the each year. in which the general reassessment becomes effective.~~ The county assessor shall make any changes, whether increases or decreases, in the assessed values which are necessary in order to equalize these

values in and between the various townships of the county. In addition, the county assessor shall determine the percent to be added to or deducted from the assessed values in order to make a just, equitable, and uniform equalization of assessments in and between the townships of the county.

SECTION 18. IC 6-1.1-20.6-0.5, AS ADDED BY P.L.146-2008, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.5. As used in this chapter, "agricultural land" refers to land assessed as agricultural land. ~~under the real property assessment rules and guidelines of~~ The department of local government finance **may not adopt rules or provide instructions to assessing officials that restrict the calculation of a property tax credit provided under this chapter for land used for agricultural purposes (as defined by the general assembly or recognized by the United States Department of Agriculture).**"

Page 9, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 24. IC 36-2-7-13, AS AMENDED BY P.L.146-2008, SECTION 691, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 13. The county fiscal body may grant to the county assessor, in addition to the compensation fixed under IC 36-2-5, a per diem for each day that the assessor is engaged in general reassessment activities **under IC 6-1.1-4-4(b) or cyclical reassessment activities under IC 6-1.1-4-4(j).** This section applies regardless of whether professional assessing services are provided under a contract to one (1) or more townships in the county."

Page 9, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 25. [EFFECTIVE JULY 1, 2009] **(a) The legislative services agency shall prepare legislation for introduction in the 2010 regular session of the general assembly to organize and correct statutes affected by this act, if necessary.**

(b) This SECTION expires December 31, 2010."

Re-number all SECTIONS consecutively.

(Reference is to HB 1471 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 14, nays 9.

CRAWFORD, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 9, 2009, at 1:00 p.m.

GRUBB

Motion prevailed.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on Representative Thompson's second reading amendment to House Bill 1723 (1723-4), Roll Call 41, on February 5, 2009. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

GRUBB

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 41 to 48 yeas, 52 nays.*]

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1024.

DAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Tyler and M. Smith be added as coauthors of House Bill 1042.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pelath be added as coauthor of House Bill 1058.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Tincher and Ruppel be added as coauthors of House Bill 1135.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crawford be added as coauthor of House Bill 1172.

RIECKEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crouch be added as coauthor of House Bill 1178.

BLANTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative T. Brown be added as coauthor of House Bill 1210.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pearson be added as coauthor of House Bill 1294.

GRUBB

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ruppel and Pierce be added as coauthors of House Bill 1348.

DVORAK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1363.

VAN HAAFTEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry, Battles, and Tincher be added as coauthors of House Bill 1365.

VAN HAAFTEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1379.

NIEZGODSKI

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frizzell be added as coauthor of House Bill 1448.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pearson be added as coauthor of House Bill 1464.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pond be added as coauthor of House Bill 1493.

BISCHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stevenson and Cherry be added as coauthors of House Bill 1529.

CANDELARIA REARDON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be added as coauthor of House Bill 1562.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pond be added as coauthor of House Bill 1578.

DEMBOWSKI

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Welch, T. Brown, and Dodge be added as coauthors of House Bill 1593.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stevenson and Niezgodski be added as coauthors of House Bill 1609.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as coauthor of House Bill 1656.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be added as coauthor of House Bill 1661.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as author of House Bill 1727.

GOODIN

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Yarde, the House adjourned at 3:25 p.m., this fifth day of February, 2009, until Monday, February 9, 2009, at 1:00 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives